



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 131] Srinagar, Thu., the 24th May, 2018/3rd Jyai., 1940. [No. 8

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PART I-A

Jammu & Kashmir Government—Orders

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU
(Exercising powers of Bar Council under section 58 of the
Advocates Act, 1961).

Notification

No. 1394 Dated 30-12-2017.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Sanna Ajaz D/o Mr. Ajaz Ahmad Pari R/o Cheeni Chowk Khaja Mir Ali Qasbah Bahagat, Anantnag vide Notification No. 784 dated 16-12-2013 for a period of one year has been extended till 15-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1395 Dated 02-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Burjis Shabir S/o Mr. Shabir Ahmad Kuley R/o Bongam, Shopian vide Notification No. 646 dated 23-12-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1396/LP Dated 02-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Bilal Ahmad Rather S/o Mr. Abdul Ahad

Rather R/o Chanthan Check Pora, Tehsil Beerwah, Budgam vide Notification No. 480 dated 04-09-2014 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1398 Dated 18-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Khush Naseeb Shehlla D/o Mr. Mushtaq Ahmad Bhat R/o Dabtal Zaina Kadal, Srinagar vide Notification No. 301 dated 23-05-2014 for a period of one year has been extended till 23-05-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1399 Dated 18-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Iqra Amin D/o Mr. Mohd Amin Waida R/o Zainder Mohalla, Habbakadal, Tehsil Khas Srinagar, A/P Bagh-e-Mehtab, H. No. 735, Srinagar vide Notification No. 1373 dated 30-03-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1400 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Fahim Ahmad Mir S/o Mr. Mohd Sadeeq Mir

R/o Village Kotain, Kotain Mohalla, Tehsil Mendhar, District Poonch vide Notification No. 607 dated 01-12-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1401 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Syed Saleem S/o Syed Farooq Ahmad R/o Druroo, Tangmarg, Baramulla vide Notification No. 464 dated 04-09-2013 for a period of one year has been extended till 04-09-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1402 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Mir Rabia Syed D/o Syed Ullah Mir R/o Amnool, Tehsil and District Kulgam vide Notification No. 1156 dated 18-02-2012 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1403 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Suhail Ahmad Ganie S/o Mr. Ghulam Mohd Ganie R/o Wanihama, Anantnag vide Notification No. 715 dated 30-12-2015 for a period of one year has been extended till 30-06-2018 after condonation of delay

and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1404 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Firdous Ahmad S/o Mr. Mohd Ashraf Malla R/o Magal Mohalla, Loolipora, Chadoora, District Budgam vide Notification No. 594 dated 01-12-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1405 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sabina Akhter D/o Mr. Ab Gani Dar R/o Laribal, Tral, Pulwama vide Notification No.1068 dated 17-03-2016 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1406 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Danishta Shafi D/o Mr. Mohd Shafi Mir R/o Breenti Batpora, Anantnag vide Notification No. 849 dated 08-01-2014 for a period of one year has been extended till 08-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1407 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Irshad Ahmad Dar S/o Mr. Mohammad Subhan Dar R/o H. No. 64, Dar Mohalla, Palapora, Pattan, Baramulla vide Notification No. 773 dated 12-02-2016 for a period of one year has been extended till 12-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1408 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Inayat Hafiz S/o Mr. Hafizullah Malik R/o Aqilpora Razven, Tehsil Beerwah, District Budgam vide Notification No. 388 dated 05-10-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1408-A Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Farhan Iqbal Mirza S/o Mr. Muzaffar Iqbal Mirza R/o H. No. 113, Sector-7, Channi Himmat, Jammu vide Notification No. 53 dated 10-06-2010 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1409 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Jigmet Wangchok S/o Mr. Tashi Tundup R/o Shey Guru (Near Church), Shay, Yognor, Post Office Thiksay, Tehsil and District Leh, A/P H. No. 59, Vikas Lane 3, Talab Tillo, Jammu vide Notification No. 689 dated 29-12-2015 for a period of one year has been extended till 29-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1410 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Afroza Hassan D/o Mr. Ghulam Hassan Ganaie R/o Kanipora, Near Fire Station, Shopian vide Notification No. 491 dated 05-09-2013 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1411 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nasia Ahad Karnai D/o Mr. Abdul Ahad Karnai R/o Opp. Hotel City Daltop, Boulevard Road, Nehru Park, Srinagar vide Notification No. 810 dated 12-02-2016 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1412 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Nusrat Nabi D/o Mr. Ghulam Nabi Sofi R/o Sogam, Chadoora, Moh. Kokpora, Budgam vide Notification No. 396 dated 05-10-2015 for a period of one year has been extended till 05-10-2018 after condonation of delay and subject to the verification of her Certificates/ LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1413 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Gowhar Shafi D/o Syed Mohd. Shafi R/o Gohan P/O Vailoo Peer Mohalla, Tehsil Kokernag, District Anantnag vide Notification No. 930 dated 23-12-2014 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1414 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sheezan Hamid D/o Mr. Abdul Hamid Dar R/o Bandipora, Moh. Khalender, Chadoora, Budgam vide Notification No. 861 dated 15-02-2016 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1415 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Amtul Basit Deva D/o Mr. Abdul Bari Deva R/o Sherpora, Anantnag vide Notification No. 265 dated 16-07-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1416 Dated 19-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Syed Gh. Nabi S/o Syed Muzaffar Shah R/o Kunnel Bala, Handwara, Kupwara vide Notification No. 426 dated 28-08-2012 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1417 Dated 19-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Mohd Rafiq Mir S/o Mr. Mohd Akbar Mir R/o Mehmood Pora, Dar Mohalla, Tehsil Pattan, District Baramulla vide Notification No. 1364 dated 30-03-2015 for a period of one year has been extended till 30-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1418 Dated 22-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Arif Hussain S/o Mr. Ghulam Nabi Mir R/o Gantamulla Payeen, Tehsil and District Baramulla vide Notification No. 620 dated 01-12-2015 has been declared as absolute/final, after condonation of delay.

By order.

Notification

No. 1419 Dated 22-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Mehmood Hussain Shah S/o Mr. Muzamal Hussain Shah R/o Noona Bandi Kund, Tehsil Haveli, Poonch vide Notification No. 889 dated 10-01-2014 for a period of one year has been extended till 10-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1420 Dated 22-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Ashfaq Hamid Dar S/o Mr. Ab. Hamid Dar R/o Urichersoo Inder, District Pulwama vide Notification No. 810 dated 01-03-2013 for a period of one year has been extended till 01-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1421 Dated 22-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Shazia Choudhary D/o Mr. Mohd Majeed R/o Dhammi, Nagrota, Jammu, A/P H. No. 122/F, Opp. Azad Residency, Gujar Nagar, Jammu vide Notification No. 334 dated 06-06-2016 for a period of one year has been extended till 06-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1422 Dated 22-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Sadiq Naseem S/o Mr. Abdul Gani Naseem R/o Falchil, Near Masjid Sheh-e-Handan, Tehsil Khansahab, Budgam vide Notification No. 393 dated 05-10-2015 for a period of one year has been extended till 05-10-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degrees from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

Notification

No. 1423 Dated 22-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Nami Jan D/o Mr. Manzoor Ahmad Khaki R/o 43-Heevan, Anantnag vide Notification No. 683 dated 31-12-2012 for a period of one year has been extended till 31-12-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degrees from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,
Joint Registrar (Admn.).



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Vol. 131] Srinagar, Thu., the 24th May., 2018/3rd Jyai., 1940. [No. 8

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 36-Rev (LAJ) of 2018

Dated 27-01-2018.

Whereas, the land specifications whereof are given in “Annexure–A”
to this notification is required for public purpose viz. for construction of
Marog to balihote Adhwa Road under PMGSY situated in Village Gandhote,
Tehsil and District Ramban ;

Whereas, on the basis of indent prepared by Chief Engineer, PMGSY, (JKRRDA) Jammu vide No. CEJ/PMGSY/960-63 dated 15-04-2017, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR) Ramban No. Acq/PMGSY/17?179-89 dated 19-05-2017 for land measuring 25 Kanals and 10 Marlas situated in Village Gandhote, Tehsil and District Ramban ;

Whereas, the Collector, Land Acquisition (ACR) Ramban vide No. Acq/PMGSY/2017/516-18 dated 22-08-2017 has reported that the notification issued under section 4 (1) of the J&K State land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector Land Acquisition (ACR) Ramban vide above referred letter duly endorsed by the Deputy Commissioner, Ramban vide No. DC/LA/Rbn/95-96 dated 27-10-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure–A” is required for public purpose viz. for construction of Marog to Balihote Adhwa Road under PMGSY situated in Village Gandhote, Tehsil and District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 25 Kanals 10 Marlas situated in Village Gandhote, Tehsil and District Ramban, particulars whereof are given in “Annexure–A” is required for public purpose viz. for Marog to Balihote Adhwa road under PMGSY. Further, the Collector, Land Acquisition (ACR), Ramban is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Lnad Acquisition Act, Samvat 1990 it is also ordered that on expiry of fifteen days from the publication

of Notification under section 9 (2) of the said Act, the Collector, will take possession of the aforementioned land in Village Gandhote, Tehsil and District Ramban, required for public purposes subject the fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the land Acquisition Act and rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,

Revenue Department.

Annexure-‘A’

District	Tehsil	Village	Khasra No.	Area
1	2	3	4	5
				K. M.
Ramban	Ramban	Gandhote	550 min	00-12
			551 min	00-14
			551 min	00-19
			564	02-05
			565	02-07
			573	00-07
			576	00-19
			577	01-18

1	2	3	4	5
				K. M.
			580	01-06
			623	01-05
			818	00-00
			819	00-13
			820	02-05
			623	00-18
			825	01-15
			834	02-00
			835	00-05
			836	00-00
			840	04-13
			841	00-03
			843	00-06

			G. Total	25-10

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 38-Rev (LAJ) of 2018

Dated 30-01-2018.

Whereas, the land specifications whereof are given in “Annexure–A” to this notification is required for public purpose viz. for construction of Road from Bhagram to Behote in Village Behota, Tehsil Marmat, District Doda under PMGSY ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY, (JKRRDA) vide No. CEJ/PMGSY/J/14727-29 dated 22-09-2017, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR) Doda vide No. 1048-52/Acq dated 26-10-2017 for land measuring 230 Kanals and 06 Marlas situated in Village Behota, Tehsil Marmat, District Doda ;

Whereas, the Collector, Land Acquisition (ACR) Doda vide No. 1325-30/Acq dated 02-12-2017 has reported that the notification issued under section 4 (1) of the J&K State land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector Land Acquisition (ACR) Doda vide No. referred above duly endorsed by Deputy Commissioner, Doda vide No. 425/LAC/D/17 dated 11-12-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Road from Bhagran to Behota in Village Behota, Tehsil Marmat, District Doda under PMGSY ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 230 Kanals 06 Marlas situated in Village Behota, Tehsil Marmat, District Doda, particulars whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Road from Bhagran under PMGSY. Further, the Collector, Land Acquisition (ACR), Doda is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,

Commissioner/Secretary to the Government,
Revenue Department.

Annexure-‘A’

District	Tehsil	Village	Khasra No.	Area
1	2	3	4	5
				K. M.
Doda	Marmat	Behota	793 min	00-04
			807 min	00-04
			3137/805	00-17
			3137/805	00-12
			803	01-13
			802	02-14
			796 min	02-06
			796/1 min	02-10
			795	00-05
			1821	00-12
			2215/72 min	02-14
			2215/72 min	00-10

1	2	3	4	5
				K. M.
			74	01-02
			73 min	01-02
			76 min	00-09
			74	00-16
			89	00-05
			91 min	00-16
			90 min	00-15
			90 min	01-01
			95 min	00-01
			95 min	00-01
			95 min	00-01
			96 min	01-06
			96 min	00-12
			355 min	00-01
			355 min	00-13
			2223/325	00-16
			319	00-10
			318	01-03
			358 min	00-10
			367 min	00-02
			2122/375	00-12
			376	00-08
			2121/375 min	00-16
			2121/375 min	01-09

1	2	3	4	5
				K. M.
			382 min	00–11
			382 min	00–08
			382 min	00–14
			580 min	00–06
			580 min	01–04
			580 min	00–15
			580 min	00–06
			580 min	00–17
			435	01–16
			435 min	02–01
			580 min	01–00
			580 min	00–09
			580 min	00–09
			580 min	00–11
			580 min	00–15
			580 min	00–07
			580 min	00–11
			580 min	00–09
			580 min	00–16
			2302/581	02–00
			2188/585 min	01–03
			2188/585 min	01–18
			598 min	00–14
			598 min	00–17

1	2	3	4	5
				K. M.
			599 min	01-08
			598 min	00-01
			599 min	00-01
			599 min	00-15
			599 min	00-03
			601 min	01-16
			613	02-13
			629 min	02-04
			631	00-18
			2183/639	01-19
			643	01-12
			2222/648	01-10
			2221/648	00-02
			2219/648	02-05
			2317/647	00-12
			2221/648	00-04
			2219/648 min	00-09
			679 min	01-07
			679 min	00-09
			679 min	01-00
			679 min	01-07
			679 min	01-03
			701 min	01-18
			700 min	01-18

1	2	3	4	5
				K. M.
			702 min	01-00
			749	00-07
			876 min	00-18
			876 min	00-02
			2144/904	00-01
			2144/904	00-13
			903 min	01-16
			2144/904 min	00-08
			903	00-02
			902	00-02
			880 min	01-10
			880 min	00-02
			536	00-04
			530 min	02-19
			535	00-01
			530 min	02-06
			530 min	00-14
			1831/531 min	01-02
			1177 min	00-14
			1181	00-06
			1181	01-10
			1157	00-09
			1181	00-12
			1183	00-12

1	2	3	4	5
				K. M.
			1181	00-13
			1183	00-13
			1186 min	01-00
			1186 min	01-00
			1188 min	00-05
			1188 min	01-11
			1188 min	00-06
			2055/1202	01-18
			2054/1202	00-01
			2054/1202	00-03
			2054/1202	00-05
			2054/1202	01-00
			1907/57	01-05
			49	00-03
			41 min	00-17
			41 min	00-12
			46 min	00-18
			50 min	02-12
			110 min	03-01
			111	00-01
			112 min	00-07
			149 min	00-03
			114 min	00-02
			154	01-14

1	2	3	4	5
				K. M.
			155	00–11
			151 min	02–13
			151 min	00–10
			149 min	00–03
			148 min	02–09
			147 min	01–01
			204	00–03
			209	00–15
			212	01–04
			214	01–09
			215	01–03
			217	02–19
			222	00–15
			397	00–04
			287	01–07
			288	00–19
			285	00–08
			283	01–03
			400	00–13
			401 min	01–00
			274	01–17
			274	00–07
			273	00–18
			451	01–00

1	2	3	4	5
				K. M.
			451	00-07
			451	01-10
			451	00-10
			451	00-10
			452 min	01-11
		1831/531	min	00-11
			555 min	04-17
			555 min	00-13
			554 min	01-00
			554 min	01-14
			1042 min	01-02
			1042 min	02-00
			1072 min	01-07
			1072 min	00-13
			1072 min	00-07
			1072 min	01-07
			1072 min	00-17
			1072 min	00-17
			1071 min	00-13
			1072 min	00-15
			1072 min	00-09
			1072 min	00-04
			1072 min	01-00
			1072 min	00-09

1	2	3	4	5
				K. M.
			1072 min	01-00
			2051/1073	00-07
			2051/1073	00-14
			1027 min	00-10
			1026 min	00-10
			1023 min	00-03
			1023 min	03-10
			1021	01-07
			1019	00-05
			2039/1018	00-16
			1030	00-03
			1034	00-16
			1030	00-11
			1034	00-09
			1034	01-17
			1034	00-17
			1034	00-17
			1011	02-15
			1010	02-00
			1010	00-04
			2037/967	00-05
			2037/967	00-09
			966	00-07
			968	02-18

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1	2	3	4	5
				K. M.
			966	00-02
			963	02-03
			959	00-13
			2313/1118	01-04
			2313/1118	01-04
			1117/1	03-15
			2344/1136	00-13
			1137	00-11
			2076/1161	01-16
			2075/1161	01-00
			2080/1162	00-01
			1160	01-02
			2080/1162	00-01
			1160	01-07
			1164	01-07
			1185	00-15
			452	01-09
			452	00-19
			452	01-00
			461	01-02
			471 min	01-05
			471 min	01-13
			471	01-07
			511 min	00-02

1	2	3	4	5
				K. M.
			2021/510	00–13
			471	00–13
			491	00–18
			491	00–09
			490	01–13
			490	03–01
			500	00–04
			500	00–08
			511	00–03
			1883/538	02–10
			Total	230–06

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 33-Rev (LAJ) of 2018

Dated 27-01-2018.

Whereas, the land specifications whereof are given in “Annexure–A” to this notification is required for public purpose viz. for construction of Khunga to Kothi Jagir Road under PMGSY situated in Village Gandhote, Tehsil and District Ramban ;

Whereas, on the basis of indent prepared by Chief Engineer, PMGSY (JKRRDA), Jammu vide No. CEJ/PMGSY/960-63 dated 15-04-2017, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Ramban vide No. Acq/PMGSY/17/137-47

dated 19-05-2017 for land measuring 22 Kanals and 18 Marlas situated at Village Bhattan, Tehsil and District Ramban ;

Whereas, the Collector, Land Acquisition (ACR), Ramban vide No. Acq/PMGSY/2017/589-92 dated 07-09-2017 has reported that the notification issued under section 4 (1) of the J&K State land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Ramban vide above referred letter duly endorsed by the Deputy Commissioner, Ramban vide No. DC/LA/Rbn/91-92 dated 27-10-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure-A” is required for public purpose viz. for construction of Khunga to Kothi Jagir Road under PMGSY, situated in Village Bhattan, Tehsil and District Ramban ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 22 Kanals 18 Marlas situated in Village Bhattan, Tehsil and District Ramban, particulars whereof are given in “Annexure-A” is required for public purpose viz. for construction of Khunga to Kothi Jagir Road under PMGSY, Further, the Collector, Land Acquisition (ACR), Ramban is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the Notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Bhattan, Tehsil and District

Ramban required for public purposes, subject the fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,

Revenue Department.

Annexure-‘A’

District	Tehsil	Village	Khasra No.	Area
1	2	3	4	5
Ramban	Ramban	Bhattan	01	K. M. 00-12
			02	01-00
			12	01-01
			13	00-14
			14	01-00
			15	01-06
			20 min	00-02
			20 min	00-05
			21	00-05

1	2	3	4	5
				K. M.
			22	01-00
			25	00-09
			27	03-15
			29	00-08
			31	03-13
			298	00-08
			299	03-15
			357	03-05

			Total	22-18

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 39-Rev (LAJ) of 2018

Dated 30-01-2018.

Whereas, the land specifications whereof are given in “Annexure–A” to this notification is required for public purpose viz. for construction of Road from Marog to Balihote Adhwa in Village Gam, Tehsil and District Ramban under PMGSY ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRRDA), Jammu vide No. CEJ/PMGSY/960-63 dated 15-04-2017, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Ramban vide No. Acq/PMGSY/17/164-73

dated 19-05-2017 for land measuring 76 Kanals and 01 Marla situated in Village Gam, Tehsil and District Ramban ;

Whereas, the Collector, Land Acquisition (ACR), Ramban vide No. Acq/PMGSY/2017/581-84 dated 07-09-2017 has reported that the notification issued under section 4 (1) of the J&K State land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Ramban vide No. referred above duly endorsed by Deputy Commissioner, Ramban vide No. DC/LA/Rbn/89-90 dated 27-10-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Road from Marog to Balihote Adhwa in Village Gam, Tehsil and District Ramban under PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 76 Kanals 01 Marla situated in Village Gam, Tehsil and District Ramban, particulars whereof are given in “Annexure-A” to this notification is required for public purpose viz. for construction of Road from Marog to Balihote Adhwa in Village Gam, Tehsil and District Ramban under PMGSY.

Further, the Collector, Land Acquisition (ACR), Ramban is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved

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in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,

Commissioner/Secretary to the Government,
Revenue Department.

Annexure-‘A’

District	Tehsil	Village	Khasra No.	Area
1	2	3	4	5
				K. M.
Ramban	Ramban	Gam	415	00-15
			419	00-17
			434	02-13
			415	01-12
			444	00-16
			445	00-04
			446	00-15
			520	00-17
			521	01-06
			530	00-18
			795	11-05
			725	00-06
			730	00-08
			735	02-12

1	2	3	4	5
				K. M.
			757	02-13
			791	00-18
			792	01-01
			799	02-02
			794	00-03
			800	02-00
			851	04-03
			843	01-07
			856	01-15
			864	02-06
			865	00-06
			866	00-13
			867	00-13
			892	05-16
			952	01-04
			970	02-04
			971	00-16
			973	00-02
			974	04-10
			980	02-17
			981	13-01

			Total	76-01

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 40-Rev (LAJ) of 2018

Dated 30-01-2018.

Whereas, the land specifications whereof are given in “Annexure–A” to this notification is required for public purpose viz. for construction of Road from Bhagran to Behota in Village Mangota, Tehsil Marmat, District Doda under PMGSY ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRRDA), Jammu vide No. CE/PMGSY/J/14727-29 dated 22-09-2017, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Doda vide No. 966-72/Acq dated 13-10-2017 for land measuring 65 Kanals and 08 Marlas situated in Village Mangota, Tehsil Marmat, District Doda ;

Whereas, the Collector, Land Acquisition (ACR), Doda vide No. 1331-36/Acq dated 02-12-2017 has reported that the notification issued under section 4 (1) of the J&K State land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5–A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Doda vide No. referred above duly endorsed by Deputy Commissioner, Doda vide No. 430/LAC/D/17 dated 11-12-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given in “Annexure–A” to this notification is required for

public purpose viz. for construction of Road from Bhargran to Behota in Village Mangota, Tehsil Marmat, District Doda under PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 65 Kanals 08 Marlas situated in Village Mangota, Tehsil Marmat, District Doda, particulars whereof are given in “Annexure–A” to this notification is required for public purpose viz. for construction of Road from Bhargran to Behota under PMGSY. Further, the Collector, Land Acquisition (ACR), Doda is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,

Commissioner/Secretary to the Government,
Revenue Department.

Annexure–‘A’

District	Tehsil	Village	Khasra No.	Area
1	2	3	4	5
				K. M.
Doda	Marmat	Mangota	777	00–09
			777	00–04

1	2	3	4	5
				K. M.
			778 min	02-10
			1017	00-03
			776	01-13
			776	00-04
			776	00-02
			776	00-01
			775	00-13
			1397/1011	03-13
			1008	00-15
			1397/1011	04-03
			1011 min	02-18
			1011 min	01-00
			1011 min	01-13
			1013 min	00-01
			1013 min	01-06
			1013 min	01-06
			1012	00-19
			999 min	01-00
			999 min	02-03
			1002	01-12
			1000	00-08
			1001	01-00

1	2	3	4	5
				K. M.
			982 min	00–16
			982 min	00–09
			982 min	00–02
			982 min	00–03
			983	00–18
			977 min	00–14
			977 min	01–06
			977 min	01–09
			977 min	00–12
			977 min	00–13
			977 min	01–11
			961	01–08
			960	01–10
			960	00–18
			960	00–16
			937 min	01–11
			937 min	00–18
			937 min	00–06
			1321/938 min	00–05
			1322/938	01–11
			935	00–16
			935	00–18
			935	00–18

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1	2	3	4	5
				K. M.
			1741/916	01-02
			1742/916	03-00
			1321/938	00-17
			935 min	00-10
			935 min	00-06
			935 min	01-08
			917 min	01-07
			1761/916	02-17
			1742/916	01-18
			915 min	00-06
			1357/944 min	01-13

			Total	65-08

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 55-Rev (LAJ) of 2018

Dated 08-02-2018.

Whereasm Administrative Department vide Notification No. 325 Rev(LAJ) of 2017 dated 27-07-2017 has issued declaration under sections 6 & 7 of the Land Acquisition Act for land measuring 30 Kanals, 02 Marlas, 04 Sirsai and 195 Sft. situated in Village Baghi Buchroo, Tehsil Chadoora, District Budgam for construction of Semi Ring Road by NHAI ;

Whereas, Divisional Commissioner, Kashmir vide No. Div Com/LAS-Acq/3827/3686 dated 02-01-2018 has reported that Project Director NHAI has expressed urgency for completion of land acquisition process for the project ;

Now, therefore, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector, will take possession of the aforementioned land in Village Baghi Buchroo, Tehsil Chadoora, District Budgam required for public purpose, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,
Commissioner/Secretary to Government,
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 37-Rev (LAJ) of 2018

Dated 30-01-2018.

Whereas, the land specifications whereof are given below is required for public purpose viz. for construction of Office-cum-Residential Accommodation for District Statistics and Evaluation Office, Kupwara in Village Bumhama, Tehsil and District Kupwara by Statistics and Evaluation Department ;

Specification of land				
District	Tehsil	Village	Khasra Nos.	Area
				K. M.
Kupwara	Kupwara	Bumhama	165	00-11
			167	00-07½
			168	01-03

			Total	02-1½

Whereas, on the basis of an indent placed by District statistics and Evaluation Officer, Kupwara vide No. DSEO/K/1739-42 dated 15-10-2013, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Kupwara vide No. DCK/LAS/18-25 dated 03-03-2014 for land measuring 05 Kanals and 18 Marlas situated in Village Bumhama, Tehsil and District Kupwara ;

Whereas, the report furnished by District Collector (DC), Kupwara vide his letter No. DCK/LAS/480-85 dated 10-09-2016 duly endorsed by Divisional Commissioner, Kashmir vide No. Div com/LAS-Acq/3017/2455 dated 10-02-2017 and Financial Commissioner, Revenue, J&K vide No. FC-LS/LA-4515/2017 dated 28-11-2017 has been examined and it has been found that consequent upon the issuance of notification under 4 (1) of the Land Acquisition Act and in view of the urgency involved the case was placed before the District Private Negotiation Committee on 24-02-2016 and in respect of 02 Kanals and 8½ Marlas (Private land) the Private Negotiation was successful ;

Whereas, for remaining land measuring 02 Kanals and 8½ Marlas (Private land), the negotiations did not succeed and accordingly it was decided to acquire the said remaining land (02 Kanals and 1½ Marlas) through compulsory mode of acquisition and in respect of State land measuring 01 Kanals and 8 Marlas the proceeding were decided to be under taken separately ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Office-cum-Residential Accommodation for District Statistics and Evaluation Office, Kupwara in Village Bumhama, Tehsil and District Kupwara by Statistics and Evaluation Department.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 02 Kanals and 1½ Marlas situated in Village Bumhama, Tehsil and District Kupwara particulars whereof are given above is required for public purposes viz. for construction of Office-cum-Residential Accommodation for District Statistics and Evaluation Office, Kupwara. Further, the Collector, Land Acquisition (ACR), Kupwara is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

In pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector, will take possession of the aforementioned land in Village Bumhama, Tehsil and District Kupwara required for public purpose subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,
Commissioner/Secretary to Government,
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Notification No. 37-Rev (LAJ) of 2018

Dated 30-01-2018.

Whereas, the land specifications whereof are given below is required for public purpose viz. for widening of Habba Kadal Babapora, Srinagar Road in Village Habba Kadal, Tehsil Srinagar South and District Srinagar ;

Specification of land

District	Tehsil	Village	Kh. No.	Eng. Mark No.	Area
					K. M. Sft.
Srinagar	Srinagar South	Habbakadal	995 min	64-R & 67-R	00-04-211.37

Whereas, on the basis of an indent placed Executive Engineer, Right River Circular Road, Division Srinagar vide No. RRCR/LAC/3731-33 dated 16-11-2016, a notification under section 4 (1) was issued by Collector, Circular Road Project, (ADC), Srinagar vide No. C/CRP/LA/1128-44 dated 14-08-2012 for land measuring 04 Marlas and 211.37 Sfts (87.50 Sfts), situated in Village Habba Kadal, Tehsil Srinagar South, District Srinagar ;

Whereas, the District Collector (DC), Srinagar vide No. DCS/LAS/1232/359 dated 25-08-2017 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act, was served upon the interested persons for filing objections. If any, to the proposed acquisition but no objection was received from the land owners/interested persons in the prescribed time period as required under section 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by District Collector (DC), Srinagar vide number referred to above duly endorsed by Divisional Commissioner, Kashmir vide No. Div. Com/LAS-3022/3267 dated 25-09-2017 and by

Financial Commissioner, Revenue vide No. FC-LS/LA-4516/17 dated 16-10-2017 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for widening of Habba Kadal Babapora, Srinagar Road in Village Habba Kadal, Tehsil Srinagar South and District Srinagar.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 04 Marlas and 211.37 Sfts (87.50 Sfts), situated in Village Habba Kadal, Tehsil North, Srinagar, District Srinagar particulars whereof are given above is required for public purposes viz. for widening of Habba Kadal Babapora, Srinagar Road in Village Babapora Habba Kadal, Tehsil Srinagar South and District Srinagar. Further, the Collector, Land Acquisition (ADC), Srinagar is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Now, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector, will take possession of the aforementioned land in Village Babapora Habba Kadal, Tehsil South, Srinagar, District Srinagar required for public purpose, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYTULLAH, IAS,
Commissioner/Secretary to Government,
Revenue Department.



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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In pursuance to Government Order No. 475-GAD of 2018 dated 20-03-2018, we, the following officers have handed over/taken over the charge of Deputy Commissioner, Samba today on 23rd March, 2018 AN.

(Sd.) SHEETAL NANDA, IAS,

Deputy Commissioner, Samba.

Relieved Officer.

(Sd.) RAJINDER SINGH TARA, KAS,

Deputy Commissioner, Samba.

Relieving Officer.

In pursuance to Government Order No. 514-GAD of 2018 dated 26-03-2018, issued under endorsement No. GAD (Ser) Genl/77/2011-II dated 26-03-2018, I hereby assume the charge of Deputy Commissioner, Poonch today on 2nd of April, 2018 (FN).

(Sd.) MOHAMMAD AIJAZ, IAS,
Deputy Commissioner,
Poonch.



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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, UDHAMPUR.

Notification

Sub :— Notification under section 4 (1) of Land Acquisition Act, 1990 BK,
for land measuring 02M 02S at Village Jakhain, Tehsil and
District Udhampur.

In exercise of the powers vested in me under sub-section (1)
of section 4 of the Land Acquisition Act 1990 BK, I, Krishan Lal,
(KAS), Collector, Land Acquisition (Additional Deputy Commissioner),

Udhampur do hereby notify the land particulars of which are given below is likely to be needed for public purpose i. e. land required for widening of NH-44 situated at Village Jakhain, Tehsil and District Udhampur.

Objections, if any, to the acquisition of the said land shall be received by undersigned either individually or through authorized agent on or before 2nd Feb., 2018 during office hours on any working day in my office at Deputy Commissioner Office Complex Udhampur :—

Specifications

District	Tehsil	Village	Kh. No.	Area
				K. M. S.
Udhampur	Udhampur	Jakhain	712 min	00-02-02
			Total	00-02-02

(Sd.) KRISHAN LAL, KAS,

Collector, Land Acquisition
(Additional Deputy Commissioner),
Udhampur.

OFFICE OF THE COLLECTOR, LAND ACQUISITION,
NATIONAL HIGHWAY AUTHORITY OF INDIA
(ADDITIONAL DEPUTY COMMISSIONER), RAMBAN.

Notification

An indent placed by Project Director, NHAI PIU Srinagar vide his No. PD/SGR/14017/01/2014/US-II/15 dated 17-08-2017 and in exercise of the powers vested in me under Section 4, Sub-Section (1) of the J&K Land Acquisition Act, 1990 Samvat, I, Dr. Gurvinder

Jeet Singh, (KAS), Collector, Land Acquisition NHAI (Additional Deputy Commissioner), Ramban do hereby notify that the land particulars of which are given below is required for public purpose namely for shifting of Tower No. 7, 8, 9 & 10 of 132 KV transmission falling in ROW of project highway in Village Chareel Lamber, Tehsil Banihal, District Ramban area measuring 2 Kanals 6½ Marlas Tehsil Banihal, District Ramban :-

District	Tehsil	Village	Kh. No.	Area
				K. M.
Ramban	Banihal	Chareel-Lamber	2545/2583/1965	min 00-11
			2431/1716	min 00-11½
			1719	min 00-02
			2627/2411/1649	min 00-09
			2410/1649	00-01½
			2627/2411/1649	min 00-0½
			1676	00-11
			Total	02-06½

Objection, if any, to the proposed acquisition shall be received by the undersigned within 15 days from the date of publication of this notification

(Sd.) Dr. G. J. SINGH, KAS,
Collector, Land Acquisition, NHAI
(Additional Deputy Commissioner),
Ramban.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
(SUB-DIVISIONAL MAGISTRATE), BANIHAL.

Sub :— Corrigendum in notification under section 4 (1) of Land Acquisition Act vide No. SDMB/Acq/239-47 dated 23-10-2017 issued in land acquisition case measuring 11 Kanals 09 Marlas for construction of Banihal Mangit road under PMGSY at Village Krawah, Tehsil Banihal, District Ramban.

With the exclusion of Forest Land measuring 07 Kanals 11 Marlas mistakenly included in above notification bearing Khasra No's 597 measuring 00 Kanal 11 Marlas, 713/600 measuring 03 Kanals 02 Marlas and 628 measuring 03 Kanals 18 Marlas shown against item Nos. 3, 4 and 5 in above notification, please read now the above notification for land measuring 03 Kanals 18 Marlas instead of 11 Kanals 09 Marlas as per detail given below :—

Particulars of Land

District	Tehsil	Village	Kh. No.	Area
				K. M.
Ramban	Banihal	Krawah	599	01-10
			598	02-08
			Total	03-18

(Sd.)

Collector, Land Acquisition
(Sub-Divisional Magistrate),
Banihal.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, UDHAMPUR.

Notification

Sub :— Notification under section 4 (1) of Land Acquisition Act 1990 BK,
for land measuring 16 Marlas at Village Morh, Tehsil and District
Udhampur.

In exercise of the powers vested in me under sub-section (1) of section 4 of the Land Acquisition Act, 1990 BK, I, Krishan Lal, KAS, Collector, Land Acquisition (Additional Deputy Commissioner), Udhampur do hereby notify the land particulars of which are given below is likely to be needed for the public purpose i. e. land required for slope stabilization on NH-44 situated at Village Morh, Tehsil and District Udhampur.

Objections, if any, to the acquisition of the said land shall be received by undersigned either individually or through authorized agent on or before 2nd Feb., 2018 during office hours on any working day in my office at Deputy Commissioner Office Complex Udhampur :—

Specifications

District	Tehsil	Village	Kh. No.	Area
				K. M.
Udhampur	Udhampur	Morh	207	00-16

Total				00-16

(Sd.) KRISHAN LAL, KAS,
Collector, Land Acquisition
(Additional Deputy Commissioner),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, UDHAMPUR.

Notification

Sub :- Notification under section 4 (1) of Land Acquisition Act 1990 BK,
for land measuring 04 Kanals 05 Marlas at Village Tordi, Tehsil
and District Udhampur.

In exercise of the powers vested in me under sub-section (1) of section 4 of the Land Acquisition Act, 1990 BK, I, Krishan Lal KAS, Collector, Land Acquisition (Additional Deputy Commissioner), Udhampur do hereby notify the land particulars of which are given below is likely to be needed for the public purpose i. e. additional land required for slope stabilization on NH-44 situated at Village Tordi, Tehsil and District Udhampur.

Objections, if any, to the acquisition of the said land shall be received by undersigned either individually or through authorized agent on or before 2nd Feb. 2018 during office hours on any working day in my office at Deputy Commissioner Office Complex Udhampur :-

Specifications

District	Tehsil	Village	Kh. No.	Area
				K. M.
Udhampur	Udhampur	Tordi	102 min	04-05

Total				04-05

(Sd.) KRISHAN LAL, KAS,

Collector, Land Acquisition
(Additional Deputy Commissioner),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, UDHAMPUR.

Notification

Sub :— Notification under section 4 (1) of Land Acquisition Act 1990 BK,
for land measuring 11 Kanals 04 Marlas at Village Narsoo, Tehsil
and District Udhampur.

In exercise of the powers vested in me under sub-section (1) of section 4 of the Land Acquisition Act, 1990 BK, I, Krishan Lal KAS, Collector, Land Acquisition (Additional Deputy Commissioner), Udhampur do hereby notify the land particulars of which are given below is likely to be needed for the public purpose i. e. additional land required for extra widening of carriageway on NH-44 situated at Village Narsoo, Tehsil and District Udhampur.

Objections, if any, to the acquisition of the said land shall be received by undersigned either individually or through authorized agent on or before 2nd Feb., 2018 during office hours on any working day in my office at Deputy Commissioner Office Complex Udhampur :—

Specifications

District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
				K. M.
Udhampur	Udhampur	Narsoo	494/448/157 min	00–10
			687/158 min	01–06
			509/199 min	03–17

1	2	3	4	5
				K. M.
			338 min	01-04
			411 min	04-07

			Total	11-04

(Sd.) KRISHAN LAL, KAS,
Collector, Land Acquisition
(Additional Deputy Commissioner),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER, UDHAMPUR.

Notification

Sub :- Notification under sections 9 & 9-A of the Land Acquisition Act-X
of 1990 BK.

Whereas, the land particulars of which are given below is being acquired for public purpose viz. for widening of Pathankot-Jammu-Srinagar National Highway in Village Morh, Tehsil and District Udhampur as notified by the Government vide notification No. 348-Rev(LAJ) of 2017 issued under endorsement No. Rev/LAJ/173/2017 dated 01-08-2017 and its possession is likely to be taken over.

Therefore, the owners/interested persons and the Indenting Department is hereby called upon to attend this office either in person or through an authorized agent on or before 29th Jan., 2018 to state the nature of their respective interests in the land and the amount

and particularts of their claims to compensation for such interests and their objections, if any, to measurements of land :—

Specifications

District	Tehsil	Village	Kh. No.	Area
				K. M.
Udhampur	Udhampur	Morh	138 min	00-02
			139 min	02-02
			142 min	00-03
			146 min	01-02
			149 min	00-07
			151 min	01-09
			151 min	00-04
			233/217 min	00-10
			233/217 min	00-16
			233/217 min	03-14
			233/224/220 min	00-05
			Total	10-14

(Sd.) KRISHAN LAL, KAS,

Collector, Land Acquisition
(Additional Deputy Commissioner),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ADDITIONAL DEPUTY COMMISSIONER), KISHTWAR.

Notification

In supersession to the earlier notifications issued and in exercise of the powers conferred upon me under sub-section (1) of Section 4 of the J&K State Land Acquisition Act, I, Kishori Lal Sharma, (KAS), Collector, Land Acquisition, ADC, Kishtwar do hereby notify the land, the particulars of which are given below is likely to be needed for construction of Special Investment Zone (SIZ) at Village Pochhal, Tehsil Kishtwar District Kishtwar.

The interested persons, if any, with respect to the acquisition of land may file their objections, if any, in my office within 15 days from the date of publication/issuance of this notification :-

District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
				K. M.
Kishtwar	Kishtwar	Pochhal	132	22-06
			133	16-16
			134 min	04-01
			134 min	04-00
			2803/135	01-04
			2804/135	01-02
			2803/135	12-07
			3321/2805/135	02-07
			2822/135	10-00

1	2	3	4	5
				K. M.
			136	04-09
			137	05-03
			144	05-07
			145	07-00
			146 min	01-15
			154	01-15
			155 min	00-11
			138	04-07
			139	02-10
			156 min	02-00
		2806/1069		06-05
		2971/2877/1069		02-00
		3263/sick		01-08
		74/2807/1069		
			1084 min	09-17

			Total	128-10

(Sd.) KISHORI LAL SHARMA KAS,
Collector, Land Acquisition, (Marwah/Padder),
(Additional Deputy Commissioner),
Kishtwar.

OFFICE OF THE COLLECTOR, LAND ACQUISITION
ASSISTANT COMMISSIONER REVENUE, JAMMU

Notification

Project Director, NHAI Jammu vide No. PD/JMU/LA/Jammu/2017-18/258 dated 11-01-2018 has placed an indent for acquisition of land measuring 25 Kanals and 16 Marlas in Village Panjgrain, Tehsil Nagrota.

In exercise of powers conferred upon me under Sub-Section (1) of Section 4 of the Land Acquisition Act, 1990, I, Nisar Ahmed Shad, KAS, Collector, Land Acquisition, Assistant Commissioner Revenue, Jammu hereby notify that the land with particulars given below are likely to be needed for a public purpose namely construction/widening of Jammu-Udhampur National Highway in Village Panjgrain, Tehsil Nagrota, District Jammu.

Any objection with regard to acquisition of said land will be received by the undersigned within 15 days from the date of publication of this notification in the newspapers :—

Specification of the land

District	Tehsil	Village	Kh. No.	Area
				K. M.
Jammu	Nagrota	Panjgrain	690	25–16

Total				25–16

(Sd.) NISAR AHMED SHAD, KAS,

Assistant Commissioner, Revenue,
(Collector, Land Acquisition),
Jammu.



THE JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 131] Srinagar, Thu., the 24th May, 2018/3rd Jyai., 1940. [No. 8

Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS—C

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE GENERAL MANAGER, RANBIR
GOVERNMENT PRESS, JAMMU (TAWI)—180 005

e-Tender Notice No. 03 of 2018

Dated 05-05-2018.

For and on behalf of the Governor of Jammu and Kashmir, e-Bid is invited for the finalization of Annual Rate Contract for procurement of Press Material for the year 2018-19 from manufacturers, authorized dealers, registered firms/suppliers annexed to this tender notice with specifications in the schedule forming part of terms and conditions

44 The J&K Govt. Gazette, 24th May, 2018/3rd Jyai., 1940. [No. 8

of this e-NIT. The e-Tender Notice can also be downloaded/accessed on our official website **rgp.jk.in**

S. No.	Name of the Tender	Cost of Tender Fee	Earnest Money
1.	Press Material items	Rs. 100/- General	Rs. 20,000/- or equivalent to 2% of their tendered cost subject to minimum of Rs. 5,000/- SSI Units are required to furnish 50% of the prescribed earnest money subject to minimum of Rs. 5,000/-.

The bidding documents consisting of qualifying information, eligibility criteria, specifications, bill of quantities (B. O. Q), set of terms and conditions of contract and details can be seen/downloaded from the official website www.jktenders.gov.in as per schedule dates given below :—

Date of issue of e-bidding documents	07-05-2018 (2.00 P. M.)
Period of downloading of bidding documents	07-05-2018 (3.00 P. M.) to 18-06-2018 (2.00 P. M.)
Bid submission start date	07-05-2018 (3.00 P. M.)
Bid submission end date	18-06-2018 (3.00 P. M.)
Deadline for receiving the hard copies including original DO and EMD etc.	19-06-2018 (12.00 Noon)
Date and time of opening of technical bids on or after.	20-06-2018 (12:00 Noon)
Date and time of opening of financial bid (online)	To be notified after technical bid evaluation

(Sd.) F. H. QADRI,
General Manager.



رجسٹرڈ نمبر جے کے - 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 131 - سرینگر - مورخہ 24 مئی 2018ء بمطابق 3 جیسٹھا 1940ء و پروان نمبر 8

اِستِہارات

از عدالت پیشل موبائیل مجسٹریٹ پسینجر ٹیکس کورٹ سرینگر۔

مثل نمبر B-75/ تاریخ دائرہ 20-07-2012 - فیصلہ رواں

علت نمبر 110 سال 2000ء، تھانہ پولیس خانپار

سرکار بنام جاوید احمد میر وغیرہ

بجرائم زیر دفعات : 420,468/RPC

وارنٹ گشتی عام زیر دفعات 512 ضابطہ فوجداری

بخلاف ملزم - (1) ریاض احمد خان ولد محمد لطیف خان ساکنہ دیوی آنگن حول سرینگر - (ملزم)

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں مثل نمبر B/75 تاریخ دائرہ 20-07-2012 من فیصلہ رواں عنوان صدر بجرائم 420,468/RPC میں ملزم عرصہ دراز سے غیر حاضر ہوتے ہیں۔ سر دست ملزم کی تعمیل ہونا نامکفی ہے۔ لہذا ملزم/کو اشتہاری ملزم قرار دیا گیا ہے۔ اور بذریعہ وارنٹ گشتی عام زیر دفعہ 512 ض ف اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم/صدر اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو گرفتار کر کے ہمارے روبرو عدالت ہذا میں بحراست ضابطہ پیش کریں۔ وارنٹ ہذا آج کے روز دستخط راقم کے و مہر عدالت کے جاری ہوئی۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے۔

تحریر: 17-06-2016

دستخط: سپیشل موبائیل مجسٹریٹ سپرنٹنڈنٹ پولیس سرینگر۔

از عدالت ایڈیشنل سیشن جج اُدوہم پور

مثل نمبر 007/Spl.Challan تاریخ دائرہ 10-6-2011 تاریخ فیصلہ 04-07-2017

علت نمبر 06 سال 2011ء، تھانہ پولیس کدھ

سرکار بنام سجاد احمد

جرائم زیر دفعات: 8/20 NDPS Act.

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم : سجاد احمد ولد محمد عبداللہ قوم کشمیری مسلمان ساکن نمبل تحصیل مٹن ضلع
انت ناگ کشمیر (جے اینڈ کے)

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں ملزم متذکرہ بالا حاضری عدالت سے
غیر حاضر ہو چکا ہے۔ اور راقم کو اطمینان ہو چکا ہے کہ ملزم کی دستیابی ہونا ممکن نہ ہے۔
لہذا بذریعہ وارنٹ گشتی زیر دفعہ 512 ضابطہ فوجداری ہذا تحریر کیا جاتا ہے کہ ملزم
متذکرہ بالا جب کبھی بھی اور جہاں کہیں بھی ریاست جموں و کشمیر میں دستیاب ہو،
گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا دستیابی ملزم زیر کار رہے گا۔
آج مورخہ 04-07-2017 کو ہمارے دستخط و مہر عدالت سے جاری ہوا۔

تحریر: 04-07-2017

دستخط : ایڈیشنل سیشن جج اُدوہم پور۔

از عدالت جوڈیشل مجسٹریٹ سب جج بارہمولہ

مثل نمبر 179 / چالان، تاریخ دائرہ 30-03-2012، تاریخ فیصلہ 25-05-2017

علت نمبر 69 سال 2012ء، تھانہ پولیس بارہمولہ

سرکار بنام طارق احمد لون وغیرہ

بجرائم زیر دفعات 511/RPC, 380, 454,

وارنٹ کشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم : طارق احمد لون ولد غلام محی الدین لون ساکنہ تاجر سوپورہ (ملزم)
حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں آپ کو حکم اختیار دیا جاتا ہے کہ ملزم صدر
جہاں کہیں بھی جب کبھی بھی اندر حدود ریاست جموں و کشمیر دستیاب ہو کو گرفتار کر کے
عدالت ہذا میں پیش کریں۔ وارنٹ ہذا امروزہ دستخط و مہر اجراء کی جاتی ہے اور تا
دستیابی ملزم زیر کار رہے گا۔

تحریر اُلصدر

دستخط : جوڈیشل مجسٹریٹ سب جج بارہمولہ۔

از عدالت ایڈیشنل سیشن جج سوپور

سرکار بنام عامر رشید خان وغیرہ
علت نمبر 11 سال 2017ء، تھانہ پولیس سوپور

بجرائم زیر دفعات 427, 147, 336, 148, 149, 307/RPC

وارنٹ کشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم : غلام نبی صوفی ولد عبدالغفار صوفی ساکنہ آر مپورہ کپواڑہ۔

حکم بنام SSP/SHO: اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُصدر میں ملزم مندرجہ عنوان اُصدر کے خلاف مقدمہ زیر دفعہ 512 ض ف رواں ہے اور ملزم مذکورہ روپوش ہو چکا ہے جس نسبت بیان IO/SHO کنندہ کا بیان قلمبند کیا گیا جس سے عدالت ہذا کو اطمینان ہوا ہے کہ واقعی طور ملزم مذکورہ دیدہ و دانستہ طور روپوش ہو چکا ہے اور فی الحال ملزم صدر کی دستیابی ناممکن ہے۔ لہذا اہلکاران جموں و کشمیر پولیس کو ہدایت کی جاتی ہے اور اختیار دیا جاتا ہے کہ وہ ملزم مندرجہ بالا کو کہیں بھی اور کبھی بھی گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گی۔

تحریر اُصدر

دستخط : ایڈیشنل سیشن جج سوپور۔

از عدالت ایڈیشنل سیشن جج سوپور

سرکار بنام شہزاد بیگم وغیرہ

علت نمبر 327 سال 2004ء، تھانہ پولیس سوپور

بجرائم زیر دفعہ: 8/200 NDPS

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

خلاف ملزم : محمد منظور بٹ ولد نور محمد بٹ ساکنہ بٹ پورہ بادشاہ مسجد سوپور۔

حکم بنام SSP/SHO: اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم مندرجہ عنوان الصدر کے خلاف مقدمہ زیر

دفعہ 512 ض ف رواں ہے اور ملزم مذکورہ روپوش ہو چکا ہے جس نسبت بیان

IO/SHO تعمیل کنندہ کا بیان قلمبند کیا گیا جس سے عدالت ہذا کو اطمینان ہوا ہے کہ

واقعی طور ملزم مذکورہ دیدہ و دانستہ طور روپوش ہو چکا ہے اور فی الحال ملزم صدر کی دستیابی

ناممکن ہے۔ لہذا اہلکاران جموں و کشمیر پولیس کو ہدایت کی جاتی ہے اور اختیار دیا جاتا ہے

کہ وہ ملزم مندرجہ بالا کو کہیں بھی اور کبھی بھی گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

تحریر الصدر

دستخط : ایڈیشنل سیشن جج سوپور۔

از عدالت پرنسپل سیشن جج شوپیاں

مثل نمبر 52/سیشن، تاریخ دائرہ 20-1-2011 تاریخ فیصلہ رواں

علت نمبر 01 سال 2011ء، تھانہ پولیس زینہ پورہ

سرکار بنام جاوید احمد گھاسی ولد علی محمد گھاسی ساکن کا کہ پورہ تحصیل پلوامہ (ملزم)

جرائم زیر دفعات 363,376/ RPC
وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری
خلاف ملزم الصدر۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم الصدرہ صد کو بذریعہ وارنٹ گرفتاری عمل میں نہ لائی گئی۔ بدیں وجہ ملزم الصدر کی تعمیل بہ طریقہ معمول ناممکن بن گئی ہے۔ لہذا ملزم الصدر کے خلاف کارروائی 512 ضابطہ فوجداری باعمل لائی جا کر اہلکاروں پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ گشتی حکم اختیار دیا جاتا ہے۔ کہ جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر ملزم الصدر کی دستیابی ممکن ہو گرفتار کر کے عدالت ہذا کے روبرو پیش کریں۔

وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

تحریر: 06-06-2017

دستخط : پرنسپل سیشن جج شوپیاں۔

از عدالت چیف جوڈیشل مجسٹریٹ سوپور

علت نمبر 336 سال 2006ء، تھانہ پولیس سوپور

سرکار بنام عبدالقیوم نجار وغیرہ

بجرائم زیر دفعات: 307, RPC 7/27 I.A.Act.

وارنٹ گشتی زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم : عبدالقیوم نجار ولد عبدالرشید نجار ساکن محلہ ممہ کاک سوپور۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزم مندرجہ عنوان اُلصدر کے خلاف کارروائی زیر دفعہ 512 ضابطہ فوجداری عمل میں لائی جا چکی ہے۔ کیونکہ ملزم صدر دانستہ طور روپوش ہو چکا ہے۔ لہذا اہلکاران ریاست جموں و کشمیر پولیس کو حکم و اختیار دیا جاتا ہے کہ وہ ملزم صدر کو کبھی بھی اور کہیں بھی اندر حدود ریاست جموں و کشمیر گرفتار کر کے عدالت ہدایا عدالت ایڈیشنل ڈسٹرکٹ اینڈ سیشن جج سوپور میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم صدر زیر کار رہے گا۔

تحریر اُلصدر۔ 15-05-2017

دستخط : چیف جوڈیشل مجسٹریٹ سوپور۔



EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Wed., the 16th May, 2018/26th Vai., 1940. [No. 6-17

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS.

(Legislation Section)

Srinagar, the 16th May, 2018.

The following Ordinance as promulgated by the Governor on
16th May, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR PROTECTION OF CHILDREN
FROM SEXUAL VIOLENCE ORDINANCE, 2018**

(Ordinance No. II of 2018)

[16th May, 2018.]

Promulgated by the Governor in the Sixty-ninth Year of the Republic
of India.

An Ordinance to protect children from sexual violence including offences of sexual assault, sexual harassment and pornography and to provide for establishment of Special Courts for trial of such offences and for matters connected therewith or incidental thereto.

Whereas, the State Legislature is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by section 91 of the Constitution of Jammu and Kashmir, the Governor is pleased to promulgate the following Ordinance :—

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Jammu and Kashmir Protection of Children from Sexual Violence Ordinance, 2018.

(2) It shall come into force at once.

2. *Definition.*—In this Ordinance, unless the context otherwise requires,—

- (a) “aggravated penetrative sexual assault” has the same meaning as assigned to it in section 5 ;
- (b) “aggravated sexual assault” has the same meaning as assigned to it in section 9 ;
- (c) “armed forces or security force” means armed forces or security forces of the Union or the State police forces (including armed constabulary constituted under State laws to aid the civil powers of the State) ;
- (d) “child” means any person below the age of eighteen years ;

- (e) “domestic relationship” shall have the same meaning as assigned to it in clause (f) of section 2 of the Jammu and Kashmir Protection of Women from Domestic Violence Act, 2010 ;
- (f) “Government” means the Government of Jammu and Kashmir ;
- (g) “Ordinance” means the Jammu and Kashmir Protection of Children from Sexual Violence Ordinance, 2018 ;
- (h) “penetrative sexual assault” has the same meaning as assigned to it in section 3;
- (i) “prescribed” means prescribed by rules made under this Ordinance ;
- (j) “religious institution” shall have the same meaning as assigned to it in the Religious Institutions (Prevention of Misuse) Act, 1988 (Central Act No. 41 of 1988) ;
- (k) “sexual assault” has the same meaning as assigned to it in section 7;
- (l) “Sexual harassment” has the same meaning as assigned to it in section 11 ;
- (m) “shared household” means a household where the person charged with the offences lives or has lived at any time in a domestic relationship with the child ;
- (n) “Special Court” means a court designated as such under section 28 ; and
- (o) “Special Public Prosecutor” means a Public Prosecutor appointed under section 33.

(2) The words and expressions used and not defined herein but defined in the State Ranbir Penal Code, the Code of Criminal Procedure, Samvat 1989, the Juvenile Justice (Care and Protection of Children) Act, 2013 and the Information Technology Act, 2000 (Central Act No. 21 of 2000) shall have the meaning respectively assigned to them in the said laws.

CHAPTER II

A-Penetrative Sexual Assault and Punishment therefor

3. *Penetrative Sexual Assault*.—A person is said to commit “penetrative sexual assault” if,—

- (a) he penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a child or makes the child to do so with him or any other person ; or
- (b) he inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of the child or makes the child to do so with him or any other person ; or
- (c) he manipulates any part of the body of the child so as to cause penetration into the vagina, urethra, anus or any part of body of the child or makes the child to do so with him or any other person ; or
- (d) he applies his mouth to the penis, vagina, anus, urethra of the child or makes the child to do so to such person or any other person.

4. *Punishment for penetrative sexual assault*.—Whoever commits penetrative sexual assault shall be punished with imprisonment of either description for a term which shall not be less than ten years but which may extend to imprisonment for life, and shall also be liable to fine.

B-Aggravated Penetrative Sexual Assault and Punishment therefor

5. *Aggravated Penetrative Sexual Assault*.—(a) Whoever, being a Police officer, commits penetrative sexual assault on a child—

- (i) within the limits of the police station or premises at which he is appointed ; or
- (ii) in the premises of any station house, whether or not situated in the Police station, to which he is appointed ; or
- (iii) in the course of his duties or otherwise ; or
- (iv) where he is known as, or identified as a police officer ; or

(b) whoever being a member of the armed forces or security forces commits penetrative sexual assault on a child—

- (i) within the limits of the area to which the person is deployed ; or
- (ii) in any areas under the command of the forces or armed forces; or
- (iii) where the said person is known or identified as a member of the security or armed forces; or

(c) whoever being a public servant commits penetrative sexual assault on a child ; or

(d) whoever being on the management or on the staff of a jail, remand home, protection home, observation home, or other place of custody or care and protection established by or under any law for the time being in force, commits penetrative sexual assault on a child, being inmate of such jail, remand home, protection home, observation home, or other place of custody or care and protection ; or

(e) whoever being on the management or staff of a hospital, whether Government or private, commits penetrative sexual assault on a child in that hospital; or

(f) whoever being on the management or staff of an educational institution or religious institution, commits penetrative sexual assault on the child in that institution ; or

(g) whoever commits gang penetrative sexual assault on a child.

*Explanation :—*When a child is subjected to sexual assault by one or more persons of a group in furtherance of their common intention, each of such persons shall be deemed to have committed gang penetrative sexual assault within the meaning of this clause and each of such person shall be liable for that act in the same manner as if it were done by him alone ; or

(h) whoever commits penetrative sexual assault on a child using deadly weapons, fire, heated substance or corrosive substance ; or

(i) whoever commits penetrative sexual assault causing grievous hurt or causing bodily harm and injury or injury to the sexual organs of the child ; or

(j) whoever commits penetrative sexual assault on a child, which—

(i) physically incapacitates the child or causes the child to become mentally ill as defined under clause (s) of section 2 of the Mental Health Care Act, 2017 (Central Act No. 10 of 2017) or causes impairment of any kind so as to render the child unable to perform regular tasks, temporarily or permanently ; or

(ii) inflicts the child with Human Immune deficiency Virus or any other life threatening disease or infection which may either temporarily or permanently impair the child by rendering him physically incapacitated, or mentally ill to perform regular tasks ; or

(k) whoever, taking advantage of a child's mental or physical disability, commits penetrative sexual assault on the child ; or

(l) whoever commits penetrative sexual assault on the child more than once or repeatedly ; or

(m) whoever commits penetrative sexual assault on a child below twelve years ; or

(n) whoever, being a relative of the child through blood or adoption or marriage or guardianship or in foster care or having a domestic relationship with a parent of the child or who is living in the same or shared household with the child, commits penetrative sexual assault on such child ; or

(o) whoever, being in the ownership, or management, or staff, of any institution providing services to the child, commits penetrative sexual assault on the child ; or

(p) whoever, being in a position of trust or authority of a child, commits penetrative sexual assault on the child in an institution or home of the child or anywhere else ; or

(q) whoever commits penetrative sexual assault on a child knowing the child is pregnant ; or

(r) whoever commits penetrative sexual assault on a child and attempts to murder the child ; or

(s) whoever commits penetrative sexual assault on a child in the course of communal or sectarian violence ; or

(t) whoever commits penetrative sexual assault on a child and who has been previously convicted of having committed any offence under this Ordinance or any sexual offence punishable under any other law for the time being in force ; or

(u) whoever commits penetrative sexual assault on a child and makes the child to strip or parade naked in public, is said to commit aggravated penetrative sexual assault.

6. *Punishment for aggravated penetrative sexual assault.*—Whoever, commits aggravated penetrative sexual assault shall be punished with rigorous imprisonment which shall not be less than twelve years but may extend to imprisonment for life and shall also be liable to fine.

C-Sexual Assault and Punishment therefor

7. *Sexual Assault.*—Whoever, with sexual intent touches the vagina, penis, anus or breast of the child or makes the child touch the vagina, penis, anus or breast of such person or any other person, or does any other act with sexual intent which involves physical contact without penetration is said to commit sexual assault.

8. *Punishment of Sexual Assault.*—Whoever, commits sexual assault, shall be punished with imprisonment of either description for a term which shall not be less than three years but which may extend to five years, and shall also be liable to fine.

D. Aggravated Sexual Assault and Punishment therefor

9. *Aggravated Sexual Assault.*—(a) Whoever, being a police officer, commits sexual assault on a child—

- (i) within the limits of the police station or premises where he is appointed ; or
- (ii) in the premises of any station house whether or not situated in the police station to which he is appointed ; or
- (iii) in the course of his duties or otherwise ; or
- (iv) where he is known as, or identified as a police officer ; or

(b) whoever, being a member of the armed forces or security forces, commits sexual assault on a child—

- (i) within the limits of the area to which the person is deployed ; or
- (ii) in any areas under the command of the security or armed forces ; or
- (iii) in the course of his duties or otherwise ; or
- (iv) where he is known or identified as a member of the security or armed forces ; or

(c) whoever being a public servant commits sexual assault on a child ; or

(d) whoever being on the management or on the staff of a jail, or remand home or protection home or observation home, or other place of custody or care and protection established by or under any law for the time being in force commits sexual assault on a child being inmate of such jail or remand home or protection home or observation home or other place of custody or care and protection ; or

(e) whoever being on the management or staff of a hospital, whether Government or private, commits sexual assault on a child in that hospital ; or

(f) whoever being on the management or staff of an educational institution or religious institution, commits sexual assault on a child in that institution ; or

(g) whoever commits gang sexual assault on a child ;

Explanation :— When a child is subjected to sexual assault by one or more persons of a group in furtherance of their common intention, each of such persons shall be deemed to have committed

gang penetrative sexual assault within the meaning of this clause and each of such person shall be liable for that act in the same manner as if it were done by him alone ; or

(h) whoever commits sexual assault on a child using deadly weapons, fire, heated substance or corrosive substance ; or

(i) whoever commits sexual assault causing grievous hurt or causing bodily harm and injury to the sexual organs of the child ; or

(j) whoever commits sexual assault on a child, which—

(i) physically incapacitates the child or causes the child to become mentally ill as defined under clause (s) of section 2 of the Mental Health Care Act, 2017 (Central Act No. 10 of 2017) or causes impairment of any kind so as to render the child unable to perform regular tasks, temporarily or permanently ; or

(ii) inflicts the child with Human Immuno deficiency Virus or any other life threatening disease or infection which may either temporarily or permanently impair the child by rendering him physically incapacitated, or mentally ill to perform regular tasks ; or

(k) whoever, taking advantage of a child's mental or physical disability, commits sexual assault on the child ; or

(l) whoever commits sexual assault on the child more than once or repeatedly ; or

(m) whoever commits sexual assault on a child below twelve years ; or

(n) whoever, being a relative of the child through blood or adoption or marriage or guardianship or in foster care, or having domestic relationship with a parent of the child, or who is living in the same or shared household with the child, commits sexual assault on such child ; or

(o) whoever being in the ownership or management or staff of any institution providing services to the child, commits sexual assault on the child in such institution ; or

(p) whoever, being in a position of trust or authority of a child, commits sexual assault on the child in an institution or home of the child or anywhere else ; or

(q) whoever commits sexual assault on a child knowing the child is pregnant ; or

(r) whoever commits sexual assault on a child and attempts to murder the child ; or

(s) whoever commits sexual assault on a child in the course of communal or sectarian violence ; or

(t) whoever commits sexual assault on a child and who has been previously convicted of having committed any offence under this Ordinance or any sexual offence punishable under any other law for the time being in force ; or

(u) whoever commits sexual assault on a child and makes the child to strip or parade naked in public, is said to commit aggravated sexual assault.

10. *Punishment for aggravated sexual assault.*—Whoever, commits aggravated sexual assault shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may extend to ten years, and shall also be liable to fine.

E-Sexual Harassment and Punishment therefor

11. *Sexual harassment.*—A person is said to commit sexual harassment upon a child when such person with sexual intent,—

- (i) utters any word or makes any sound, or makes any gesture or exhibits any object or part of body with the intention that such

word or sound shall be heard, or such gesture or object or part of body shall be seen by the child ; or

- (ii) makes a child exhibit his body or any part of his body so as it is seen by such person or any other person ; or
- (iii) shows any object to a child in any form or media for pornographic purposes ; or
- (iv) repeatedly or constantly follows or watches or contacts a child either directly or through electronic, digital or any other means ; or
- (v) threatens to use, in any form of media, a real or fabricated depiction through electronic, film or digital or any other mode, of any part of the body of the child or the involvement of the child in a sexual act ; or
- (vi) entices a child for pornographic purposes or gives gratification therefor.

Explanation :— Any question which involves “sexual intent” shall be a question of fact

12. *Punishment for sexual harassment.*—Whoever commits sexual harassment upon a child shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

CHAPTER III

Using child for pornographic purposes and punishment therefor

13. *Using child for pornographic purposes.*—Whoever, uses a child in any form of media (including programme or advertisement telecast by television channels or internet or any other electronic form or printed form,

whether or not such programme or advertisement is intended for personal use or for distribution), for the purposes of sexual gratification, which includes—

- (a) representation of the sexual organs of a child ;
- (b) usage of a child engaged in real or simulated sexual acts (with or without penetration) ; and
- (c) the indecent or obscene representation of a child,

shall be guilty of the offence of using a child for pornographic purposes.

Explanation :— For the purposes of this section, the expression “use a child” shall include involving a child through any medium like print, electronic, computer or any other technology for preparation, production, offering, transmitting, publishing, facilitation and distribution of the pornographic material.

14. *Punishment for using child for pornographic purposes.*—

(1) Whoever, uses a child or children for pornographic purposes shall be punished with imprisonment of either description which may extend to five years and shall also be liable to fine and in the event of second or subsequent conviction with imprisonment of either description for a term which may extend to seven years and also be liable to fine.

(2) If the person using the child for pornographic purposes commits an offence referred to in section 3, by directly participating in pornographic acts, he shall be punished with imprisonment of either description for a term which shall not be less than twelve years but which may extend to imprisonment for life, and shall also be liable to fine.

(3) If the person using the child for pornographic purposes commits an offence referred to in section 5, by directly participating in pornographic acts, he shall be punished for rigorous imprisonment for life which shall

mean the imprisonment for the remainder of that persons natural life and shall also be liable to fine.

(4) If the person using the child for pornographic purposes commits an offence referred to in section 7, by directly participating in pornographic acts, he shall be punished with imprisonment of either description for a term which shall not be less than six years but which may extend to eight years, and shall also be liable to fine.

(5) If the person using the child for pornographic purposes commits an offence referred to in section 9, by directly participating in pornographic acts, he shall be punished with imprisonment of either description for a term which shall not be less than eight years but which may extend to ten years, and shall also be liable to fine.

15. *Punishment for storage of pornographic material involving child.*—Any person, who stores, for commercial purposes any pornographic material in any form involving a child shall be punished with imprisonment of either description which may extend to three years or with fine or with both.

CHAPTER IV

Abetment of and attempt to commit an offence

16. *Abetment of an offence.*—A person abets an offence, who—

First.—Instigates any person to do that offence ; or

Secondly.—Engages with one or more other person or persons in any conspiracy for the doing of that offence, if an act or illegal omission takes place in pursuance of that conspiracy, and in order to the doing of that offence ; or

Thirdly.—Intentionally aids, by any act or illegal omission, the doing of that offence.

Explanation I.— A person who, by wilful misrepresentation, or by wilful concealment of a material fact, which he is bound to disclose, voluntarily causes or procures, or attempts to cause or procure a thing to be done, is said to instigate the doing of that offence.

Explanation II.— Whoever, either prior to or at the time of commission of an act, does anything in order to facilitate the commission of that act, and thereby facilitates the commission thereof, is said to aid the doing of that act.

Explanation III.— Whoever employ, harbours, receives or transports a child, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position, vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of any offence under this Ordinance, is said to aid the doing of that act.

17. *Punishment for Abetment.*—Whoever abets any offence under this Ordinance, if the act abetted is committed in consequence of the abetment, shall be punished with punishment provided for that offence.

Explanation.— An act or offence is said to be committed in consequence of abetment, when it is committed in consequence of the instigation, or in pursuance of the conspiracy or with the aid, which constitutes the abetment.

18. *Punishment for attempt to commit an offence.*—Whoever attempts to commit any offence punishable under this Ordinance or to cause such an offence to be committed, and in such attempt, does any act towards the commission of the offence, shall be punished with imprisonment of any

description provided for the offence, for a term which may extend to one-half of the imprisonment for life or, as the case may be, one-half of the longest term of imprisonment provided for that offence or with fine or with both.

CHAPTER V

Procedure for Reporting of Cases

19. *Reporting of offence.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, Samvat 1989, any person (including the child), who has apprehension that an offence under this Ordinance is likely to be committed or has knowledge that such an offence has been committed, he shall provide such information to,—

- (a) the Special Juvenile Police Unit ; or
- (b) the local police.

(2) Every report given under sub-section (1) shall be—

- (a) ascribed an entry number and recorded in writing ;
- (b) be read over to the informant ;
- (c) shall be entered in a book to be kept by the Police Unit.

(3) Where the report under sub-section (1) is given by a child, the same shall be recorded under sub-section (2) in a simple language so that the child understands contents being recorded.

(4) In case contents are being recorded in the language not understood by the child or where child is temporarily or permanently physically disabled, a translator or an interpreter or a special educator or a medical officer, having such qualifications, experience as may be prescribed, shall be provided to the child free of cost wherever it is deemed necessary :

Provided that if the child making the statement is temporarily or permanently disabled, the statement made by the child with the assistance

of an interpreter or special educator or medical officer may be video graphed.

(5) Where the Special Juvenile Police Unit or local police is satisfied that the child against whom an offence has been committed is in need of care and protection, then, it shall, after recording the reasons in writing, make immediate arrangement to give him such care and protection (including admitting the child into shelter home or to the nearest hospital) within twenty-four hours of the report, as may be prescribed.

(6) The Special Juvenile Police Unit or local police shall, without unnecessary delay but within a period of twenty-four hours, report the matter to the Child Welfare Committee and the Special Court or where no Special Court has been designated, to the Court of Session, including need of the child for care and protection and steps taken in this regard.

(7) No person shall incur any liability, whether civil or criminal, for giving the information in good faith for the purpose of sub-section (1).

20. Obligation of media, studio and photographic facilities to report cases.—Any personnel of the media or hotel or lodge or hospital or club or studio or photographic facilities, by whatever name called, irrespective of the number of persons employed therein, shall, on coming across any material or object which is sexually exploitative of the child (including pornographic, sexually related or making obscene representation of a child or children) through the use of any medium, shall provide such information to the Special Juvenile Police Unit, or to the local police, as the case may be.

21. Punishment for failure to report or record a case.—(1) Any person, who fails to report the commission of an offence under sub-section (1) of section 19 or section 20 or who fails to record such offence under sub-section (2) of section 19 shall be punished with imprisonment of either description which may extend to six months or with fine or with both.

(2) Any person, being incharge of any company or an institution (by whatever name called) who fails to report the commission of an offence under sub-section (1) of section 19 in respect of a subordinate under his control, shall be punished with imprisonment for a term which may extend to one year and with fine.

(3) The provisions of sub-section (1) shall not apply to a child under this Ordinance.

22. *Punishment for false complaint or false information.*—(1) Any person, who makes false complaint or provides false information against any person, in respect of an offence committed under sections 3, 5, 7 and section 9, solely with the intention to humiliate, extort or threaten or defame him, shall be punished with imprisonment for a term which may extend to six months or with fine or with both.

(2) Where a false complaint has been made or false information has been provided by a child, no punishment shall be imposed on such child.

(3) Whoever, not being a child, makes a false complaint or provides false information against a child, knowing it to be false, thereby victimizing such child in any of the offences under this Ordinance, shall be punished with imprisonment which may extend to one year or with fine or with both.

23. *Procedure for media.*—(1) No person shall make any report or present comments on any child from any form of media or studio or photographic facilities without having complete and authentic information, which may have the effect of lowering his reputation or infringing upon his privacy.

(2) No reports in any media shall disclose, the identity of a child including his name, address, photograph, family details, school, neighborhood or any other particulars which may lead to disclosure of identity of the child :

Provided that for reasons to be recorded in writing, the Special Court, competent to try the case under the Ordinance, may permit such disclosure, if in its opinion such disclosure is in the interest of the child.

(3) The publisher or owner of the media or studio or photographic facilities shall be jointly and severally liable for the acts and omissions of his employee.

(4) Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall be liable to be punished with imprisonment of either description for a period which shall not be less than six months but which may extend to one year or with fine or with both.

CHAPTER VI

Procedures for Recording Statement of the Child

24. *Recording statement of a child.*—(1) The statement of the child shall be recorded at the residence of the child or at a place where he/she usually resides or at the place of his/her choice and as far as practicable by a woman police officer not below the rank of sub-inspector.

(2) The police officer while recording the statement of the child shall not be in uniform.

(3) The police officer making the investigation, shall, while examining the child, ensure that at no point of time the child come in the contact in any way with the accused.

(4) No child shall be detained in the police station in the night for any reason.

(5) The police officer shall ensure that the identity of the child is protected from the public media, unless otherwise directed by the Special Court in the interest of the child.

25. *Recording statement of a child by Magistrate.*—(1) If the statement of the child is being recorded under section 164 or 164-A of the Code of Criminal Procedure, Samvat 1989, the Magistrate recording such statement shall, notwithstanding anything contained therein, record the statement as spoken by the child.

(2) The Magistrate shall provide to the child and his parents or his representative, a copy of the document specified under section 205-B of the Code of Criminal Procedure, Samvat 1989, upon the final report being filed by the police under section 173 of the Code of Criminal Procedure, Samvat 1989.

26. Additional provisions regarding statement to be recorded.—

(1) The Magistrate or the police officer, as the case may be, shall record the statement as spoken by the child in the presence of the parents of the child or any other person in whom the child has trust or confidence.

(2) Wherever necessary, the Magistrate or the police officer, as the case may be, may take the assistance of a translator or an interpreter, having such qualifications, experience free of cost while recording the statement of the child.

(3) The Magistrate or the police officer, as the case may be, may, in the case of a child having a mental or physical disability, seek the assistance of a special educator or any person familiar with the manner of communication of the child or an expert in that field, having such qualifications, experience and on payment of such fees as may be prescribed, to record the statement of the child.

(4) Wherever possible, the Magistrate or the police officer, as the case may be, shall ensure that the statement of the child is also recorded by audio-video electronic means.

27. Medical examination of a child.—(1) The medical examination of a child in respect of whom any offence has been committed under this Ordinance, shall, notwithstanding that a First Information Report or complaint has not been registered for the offences under this Ordinance, be conducted in accordance with section 164B of the Code of Criminal Procedure, 1989.

(2) In case the victim is a girl child, the medical examination shall be conducted by a woman doctor.

(3) The medical examination shall be conducted in the presence of the parent of the child or any other person in whom the child reposes trust or confidence.

(4) Where, in case the parent of the child or other person referred to in sub-section (3) cannot be present, for any reason, during the medical examination of the child, the medical examination shall be conducted in the presence of a woman nominated by the head of the medical institution.

CHAPTER VII

Special Courts

28. *Designation of Special Courts.*—(1) For the purposes of providing a speedy trial, the Government shall in consultation with the Chief Justice of the High Court, by notification in the Government Gazette, designate for each district, a Court of Session to be a Special Court to try the offences under the Ordinance.

(2) While trying an offence under this Ordinance, a Special Court shall also try an offence other than an offence under this Ordinance, with which the accused may, under the Code of Criminal Procedure, Samvat 1989, be charged at the same trial.

(3) The Special Court designated under this Ordinance, notwithstanding anything in the Information Technology Act, 2000 (Central Act No. 21 of 2000) shall have jurisdiction to try offences under section 67-B of that Act in so far as it relates to publication or transmission of sexually explicit material depicting children in any act, or conduct or manner or facilitates abuse of children online.

29. *Presumption as to certain offences.*—Where a person is prosecuted for committing or abetting or attempting to commit any offence under sections 3, 5, 7 and section 9 of this Ordinance, the Special Court shall presume, that such person has committed the offence, unless the contrary is proved.

30. *Presumption of culpable mental state.*—(1) In any prosecution for any offence under this Ordinance which requires a culpable mental state on the part of the accused, the Special Court shall presume the existence of such mental state but it shall be a defence for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution.

(2) For the purposes of this section, a fact is said to be proved only when the Special Court believes it to exist beyond reasonable doubt and not merely when its existence is established by a preponderance of probability.

Explanation.— In this section, “culpable mental state” includes intention, motive, knowledge of a fact and the belief in, or reason to believe, a fact.

31. *Application for Code of Criminal Procedure, 1989 to proceedings before a Special Court.*—Save as otherwise provided in this Ordinance, the provisions of the Code of Criminal Procedure, Samvat 1989 (including the provisions as to remand) shall apply to the proceedings before a Special Court and for the purposes of the said provisions, the Special Court shall be deemed to be a Court of Sessions and the person conducting a prosecution before a Special Court, shall be deemed to be a Public Prosecutor.

32. *Offences to be cognizable and non-bailable.*—(1) The offences under this Ordinance shall be cognizable and non-bailable.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, Samvat 1989, no person accused of an offence punishable under this Ordinance shall if in custody be released on bail or on his own bond unless the Public Prosecutor has been given an opportunity of being heard on the application for such release :

Provided that such accused person shall not be released on bail or on his own bond if the Court, on perusal of the case diary or the report made under section 173 of the Code of Criminal Procedure, Samvat 1989, is of

the opinion that there are reasonable grounds for believing that the accusation against such person is *prima facie* true.

(3) The restrictions on granting of bail specified in sub-section (1) shall be in addition to the restrictions under the Code of Criminal Procedure, Samvat 1989 or any other law for time being in force on granting of bail.

(4) Nothing in section 497A of the Code shall apply in relation to any case involving the arrest of any person accused of having committed an offence under the provisions of this Ordinance.

33. *Special Public Prosecutor.*—(1) The State Government shall, by notification in the Government Gazette, appoint a Special Public Prosecutor for every Special Court for conducting cases only under the provisions of this Ordinance.

(2) A person shall be eligible to be appointed as a Special Public Prosecutor under sub-section (1) only if he had been in practice for not less than seven years as an advocate.

(3) Every person appointed as a Special Public Prosecutor under this section shall be deemed to be a Public Prosecutor within the meaning of section 492 of the Code of Criminal Procedure, Samvat 1989 and provision of that Code shall have effect accordingly.

CHAPTER VIII

Procedure and Powers of Special Courts and Recording of Evidence

34. *Procedure and powers of Special Court.*—(1) A Special Court may take cognizance of any offence, without the accused being committed to it for trial, upon receiving a complaint of facts which constitute such offence, or upon a police report of such facts.

(2) The Special Public Prosecutor, or as the case may be, the counsel appearing for the accused shall, while recording the examination in chief,

cross-examination or re-examination of the child, communicate the questions to be put to the child to the Special Court which shall in turn put those questions to the child.

(3) The Special Court may, if it considers necessary, permit frequent breaks for the child during the trial.

(4) The Special Court shall create a child-friendly atmosphere by allowing a family member, a guardian, a friend or a relative, in whom the child has trust or confidence, to be present in the court.

(5) The Special Court shall ensure that the child is not called repeatedly to testify in the court.

(6) The Special Court shall not permit aggressive questioning or character assassination of the child and ensure that dignity of the child is maintained at all times during the trial.

(7) The Special Court shall ensure that the identity of the child is not disclosed at any time during the course of investigation or trial :

Provided that for reasons to be recorded in writing, the Special Court may permit such disclosure, if in its opinion such disclosure is in the interest of the child.

Explanation :— For the purposes of this sub-section, the identity of the child shall include the identity of the child's family, school, relatives, neighborhood or any other information by which the identity of the child may be revealed.

(8) In appropriate cases, the Special Court may, in addition to the punishment, direct payment of such compensation as may be prescribed to the child for any physical or mental trauma caused to him or for immediate rehabilitation of such child.

(9) Subject to the provisions of this Ordinance, a Special Court shall, for the purpose of the trial of any offence under this Ordinance, have all the

powers of a Court of Session and shall try such offence as if it were a Court of Session, and as far as may be, in accordance with the procedure specified in the Code of Criminal Procedure, Samvat 1989 for trial before a Court of Session.

35. Procedure in case of commission of offence by child and determination of age by Special Court.—(1) Where any offence under this Ordinance is committed by a child, such child shall be dealt with under the provisions of the Jammu and Kashmir Juvenile Justice (Care and Protection of Children) Act, 2013.

(2) If any question arises in any proceeding before the Special Court whether a person is a child or not, such question shall be determined by the Special Court after satisfying itself about the age of such person and it shall record in writing its reasons for such determination.

(3) No order made by the Special Court shall be deemed to be invalid merely by any subsequent proof that the age of a person as determined by it under sub-section (2) was not the correct age of that person.

36. Special procedure for recording of evidence of child and disposal of case.—(1) The trial of offences under this Ordinance shall commence within one week from the date of the presentation of the police report under section 173 of the Code of Criminal Procedure, Samvat 1989 and shall as far as possible be completed within a period of three months. The proceedings of the Court shall preferably be held on day to day basis :

Provided that a report on the status of the trial shall be sent by the trial Court to the High Court after every three months with reasons of non-conclusion of trial.

(2) The evidence of the child shall be recorded within a period of thirty days of the Special Court taking cognizance of the offence and reasons for delay, if any, shall be recorded by the Special Court.

(3) The witnesses of the prosecution shall be bound to appear before the Court on the date fixed for the hearing on a notice received from Investigating Officer, Public Prosecutor or Court.

(4) The list of defence witnesses shall be submitted by the accused within two working days of the closure of prosecution evidence and recording of statement of the accused, if any. These witnesses shall be summoned and served by the Court :

Provided that the court may at the request of the defence summon witnesses other than those included in the list for reasons to be recorded.

37. Child not to see accused at the time of testifying.—(1) The Special Court shall ensure that the child is not exposed in any way to the accused at the time of recording of the evidence, while at the same time ensuring that the accused is in a position to hear the statement of the child and communicate with his advocate.

(2) For the purposes of sub-section (1), the Special Court may record the statement of a child through video conferencing or by utilizing single visibility mirrors or curtains or any other device.

38. Trials to be conducted in camera.—The Special Court shall try cases in camera and in the presence of the parents of the child or any other person in whom the child has trust or confidence :

Provided that where the Special Court is of the opinion that the child needs to be examined at a place other than the court, it shall proceed to issue a commission in accordance with the provisions of section 504 of the Code of Criminal Procedure, 1989.

39. Assistance of an interpreter of expert while recording evidence of child.—(1) Wherever necessary, the Court may take the assistance of a translator or interpreter having such qualifications, experience as may be prescribed, while recording the evidence of the child.

(2) If a child has a mental or physical disability, the Special Court may take the assistance of a special educator or any person familiar with the manner of communication of the child or an expert in that field, having such qualifications and experience as may be prescribed to record the evidence of the child.

CHAPTER IX

Miscellaneous

40. *Guidelines for child to take assistance of experts, etc.*—Subject to such rules as may be made in this behalf, the State Government shall prepare guidelines for use of non-governmental organizations, professionals and experts or persons having knowledge of psychology, social work, physical health, mental health and child development to be associated with the pre-trial and trial stage to assist the child.

41. *Right of child take assistance of legal practitioner.*—Subject to the proviso to section 340-A of the Code of Criminal Procedure, Samvat 1989 the family or the guardian of the child shall be entitled to the assistance of a legal counsel of their choice for any offence under this Ordinance :

Provided that if the family or the guardian of the child are unable to afford a legal counsel, the Legal Services Authority concerned shall provide a lawyer to them.

42. *Provisions of section 3 to 13 not to apply in certain cases.*—The provisions of sections 3 to 13 (both inclusive) shall not apply in case of medical examination or medical treatment of a child when such medical examination or medical treatment is undertaken with the consent of his parents or guardian.

43. *Alternative punishment.*—(1) Where an act or omission constitute an offence punishable under this Ordinance and also under sections 166A,

354A, 354C, 354D, 370, 370A, 375, 376, 376A, 376AB, 376C, 376D, 376DA, 376DB, 376E or section 509 of the State Ranbir Penal Code, then, notwithstanding anything contained in any law for the time being in force, the offender found guilty of such offence shall be liable to punishment only under such law or this Ordinance as provides for punishment which is greater in degree.

44. *Public awareness about Ordinance.*—The Government, shall take all measures to ensure that—

- (a) the provisions of this Ordinance are given wide publicity through media including the television, radio and the print media at regular intervals to make the general public, children as well as their parents and guardians aware of the provisions of this Ordinance ;
- (b) the officers of the Central Government and the State Governments and other concerned persons (including the police officers) are imparted periodic training on the matters relating to the implementation of the provisions of the Ordinance.”

45. *Free medical treatment to victims.*—(1) All hospitals, public or private, whether run by the Central Government, the State Government, local bodies or any other person, shall immediately, provide the first-aid or medical treatment, free of cost, to the victims of any offence covered under this Ordinance and shall immediately inform the police of such incident.

(2) Whoever being incharge of a hospital, public or private, whether run by the Central Government, the State Government, Local Bodies or any other person, contravenes the provisions of sub-section (1) of this Ordinance, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

Explanation :—The expression “hospital” means the precincts of the hospital and includes the precincts of any institution for the reception

and treatment of victims during convalescence or of victims requiring medical attention or rehabilitation or medical examination or pathological tests.

46. *Educational Institutions to ensure safety and protection of children.*—(1) Every Educational Institution shall ensure that child studying in such institution shall not be exposed to any kind of sexual abuse or any of the offences under this Ordinance.

(2) The Government shall lay down policy and guidelines for fixing the liability of educational institution in whose premises offences under this Ordinance take place and to fix the duty of other Government Institutions to ensure proper safety of school going children in particular and child in general.

47. *Act not in derogation of any other law.*—The provision of this Ordinance shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Ordinance shall have over riding effect on the provisions of any such law to the extent of the inconsistency.

48. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by order not inconsistent with the provisions of this Ordinance, remove the difficulty :

Provided that no such order shall be made after the expiry of a period of two years from the commencement of the Act.

49. *Power to make rules.*—(1) The Government may, by notification in the Government Gazette, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :—

- (a) the qualifications and experience of, and the fees payable to, a translator or an interpreter, a special educator or any person

familiar with the manner of communication of the child or an expert in that field, under sub-section (4) of section 19 ; sub-sections (2) and (3) of section 26 and section 38 ;

- (b) care and protection and emergency medical treatment of the child under sub-section (5) of section 19 ;
- (c) the payment of compensation under sub-section (8) of section 33 ;
- (d) the manner of periodic monitoring of the provisions of the Ordinance under sub-section (1) of section 44.
- (e) any other matter which is to be or may be prescribed from time to time.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Wed., the 16th May, 2018/26th Vai., 1940. [No. 6-18

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS.

(Legislation Section)

Srinagar, the 16th May, 2018.

The following Ordinance as promulgated by the Governor on
16th May, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR CRIMINAL LAW
(AMENDMENT) ORDINANCE, 2018**

(Ordinance No. III of 2018)

[16th May, 2018.]

Promulgated by the Governor in the Sixty-ninth Year of the Republic
of India.

An Ordinance to amend the Ranbir Penal Code, Samvat 1989, Code of Criminal Procedure, Samvat 1989 and the Evidence Act, Samvat 1977.

Whereas, the State Legislature is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by section 91 of the Constitution of Jammu and Kashmir, the Governor is pleased to promulgate the following Ordinance :—

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Jammu and Kashmir Criminal Law (Amendment) Ordinance, 2018.

(2) It shall come into force at once.

CHAPTER II

Amendment to the Ranbir Penal Code

2. *Amendment of section 166A, Act XII of Samvat, 1989.*—In the State Ranbir Penal Code (hereafter in this Chapter refer to as the “Penal Code”), in section 166 A, in clause (c) for the words, figures and letters, “section 376B, section 376C, section 376D”, the words, figures and letters “section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB”, shall be substituted.

3. *Amendment of section 228A, Act XII of Samvat, 1989.*—In section 228A of the Penal Code in sub-section (1), for the words, figures and letters, “376A, 376B, 376C, 376D”, the words, figures and letters “376A, 376AB, 376B, 376C, 376D, 376DA, 376DB”, shall be substituted.

4. *Amendment of section 376, Act XII of Samvat, 1989.*—
In section 376 of the Penal Code,—

- (a) in sub-section (1) for the words “shall not be less than eight years, but which may extend to imprisonment for life, and shall also be liable to fine”, the words “shall not be less than ten years, but which may extend to imprisonment for life, and shall also be liable to fine” shall be substituted ;
- (b) in sub-section (2), clause (i) shall be omitted ;
- (c) after sub-section (2), the following sub-section shall be added, namely :—

“(3) Whoever commits rape on a women under sixteen years of age shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person’s natural life and shall also be liable to fine :

Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim :

Provided further that any fine imposed under the sub-section shall be paid to the victim.”

5. *Insertion of section 376AB, Act XII of Samvat, 1989.*—After section 376A of the Penal Code, the following section shall be inserted, namely :—

“376AB. Punishment for rape on women under 12 years of age.—Whoever commits rape on a women under 12 years of age shall be punished with rigorous imprisonment for a term which shall not be less than twenty years but which may extend to

imprisonment of life, which shall mean imprisonment for remainder of that persons natural life, and with fine or with death :

Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim :

Provided further that any fine imposed under this section shall be paid to the victim.”

6. *Insertion of section 376DA and 376DB, Act XII of Samvat, 1989.*— After section 376D of the Penal Code, the following sections shall be inserted, namely :—

“376DA. Punishment for gang rape on women under sixteen years of age.—Where a woman under sixteen years of age is raped by one or more person's constituting a group or acting in furtherance of a common intention, each of those persons shall be deemed to have committed the offence of rape and shall be punished with imprisonment for life, which shall mean the imprisonment for remainder of that person’s natural life and with fine :

Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim :

Provided further that any fine imposed under this section shall be paid to the victim.

376DB. Punishment for gang rape on women under twelve years of age.—Where a woman under twelve years of age is raped by one or more person’s constituting a group or acting in furtherance of a common intention, each of those persons shall be deemed to have committed the offence of rape and shall be punished with imprisonment for life, which shall mean the imprisonment for remainder of that person’s natural life, and with fine or with death :

Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim :

Provided further that any fine imposed under this section shall be paid to the victim.”

CHAPTER III

Amendment to the Evidence Act, Samvat 1977 (1920 A. D.)

7. *Amendment of section 53A, Act XIII of Samvat, 1977.*— In section 53A of the Evidence Act, Samvat 1977 (hereinafter referred to in this Chapter as the ‘Evidence Act’), for the words, figures and letters, “section 376A, section 376B, section 376C, section 376D,” the words, figures and letters “section 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB”, shall be substituted.

8. *Amendment of section 146, Act XIII of Samvat, 1977.*— In section 146 of the Evidence Act, in the proviso, for the words, figures and letters, “section 376A, section 376B, section 376C, section 376D,” the words, figures and letters “section 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB”, shall be substituted.

CHAPTER IV

Amendment to the Code of Criminal Procedure, Samvat 1989 (1933 A. D.)

9. *Amendment of section 154, Act XXIII of Samvat, 1989.*— In section 154 of the Code of Criminal Procedure, Samvat 1989 (hereinafter in this Chapter referred to as the “Code of Criminal Procedure”), in sub-section (1), in the first proviso for the words, figures and letters, “section 376A, section 376B, section 376C, section 376D”, the words, figures and letters “section 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB”, shall be substituted.

10. *Amendment of section 161, Act XXIII of Samvat, 1989.*— In section 161 of the Code of Criminal Procedure, in sub-section (3), in the second proviso, for the words, figures and letters, “section 376A,

section 376B, section 376C, section 376D”, the words, figures and letters “section 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB”, shall be substituted.

11. *Amendment of section 167, Act XXIII of Samvat, 1989.*—
In section 167 of the Code of Criminal Procedure, in sub-section (2), in proviso to clause (a), for the words, figures and letters, “sections 376, 376A, section 376C, section 376D”, the words, figures and letters “section 376A, section 376AB, section 376C, section 376D, section 376DA and section 376DB”, shall be substituted.

12. *Amendment of section 173, Act XXIII of Samvat, 1989.*—
In section 173 of the Code of Criminal Procedure,—

- i. after sub-section (1), the following sub-section shall be inserted, namely :—

“(1A) The investigation in relation to an offence under sections 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB or section 376E of the State Ranbir Penal Code shall be completed within two months.”

- ii. in sub-section (2) in clause (i), after sub-clause (g) the following sub-clause shall be inserted, namely :—

“(h) whether the report of medical examination of women has been attached where investigation relates to an offence under sections 376, 376A, 376B, 376AB, 376B, 376C, 376D, 376DA, 376DB or section 376E of the State Ranbir Penal Code.”

13. *Amendment of section 259AA, Act XXIII of Samvat, 1989.*—
In sub-section (1) of section 259AA of the Code of Criminal Procedure, for the words, figures and letters, “section 376, section 376A, section 376B, section 376C, section 376D and section 376E”, the words, figures and

letters “sections 376, 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB and section 376E”, shall be substituted.

14. *Amendment of section 352, Act XXIII of Samvat, 1989.*—In sub-section (2) of section 352 of the Code of Criminal Procedure, for the words, figures and letters, “section 376, section 376A, section 376B, section 376C, section 376D and section 376E”, the words, figures and letters “sections 376, 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB and section 376E”, shall be substituted.

15. *Amendment of section 410, Act XXIII of Samvat, 1989.*—In section 410 of the Code of Criminal Procedure,—

- i. existing section shall be renumbered as sub-section (1) ; and
- ii. after sub-section (1), the following sub-section shall be inserted, namely :—

“(2) When an appeal has been filed against a sentence passed under sections 376, 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB, section 376E of the Ranbir Penal Code, the appeal shall be disposed of within a period of six months from the date of filing of such appeal.”

16. *Amendment of section 497-C, Act XXIII of Samvat, 1989.*—In section 497C of the Code of Criminal Procedure, for the words, figures and letters, “376, 376A, 376C, 376D or 376E”, the words, figures and letters “376, 376A, 376AB, 376C, 376D, 376DA, 376DB or 376E”, shall be substituted.

17. *Substitution of section 545-B, Act XXIII of Samvat, 1989.*—For section 545-B of the Code of Criminal Procedure, the following shall be substituted, namely :—

“545B. Compensation to be in addition to fine under section 326A, section 376A, section 376D, section 376DA,

section 376DB.—Compensation payable by the Government under section 545A shall be in addition to payment of fine to the victim under section 326A, sections 376A, 376D, section 376DA or section 376 DB.”

18. *Amendment of section 545-C, Act XXIII of Samvat, 1989.*—In section 545-C of the Code of Criminal Procedure, for the words, figures and letters, “sections 326A, 376, 376A, 376B, 376C, 376D or section 376E of the Penal Code”, the words, figures, and letters, “sections 326A, 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB or section 376E of the Penal Code” shall be substituted.

19. *Amendment of Schedule II, Act XXIII of Samvat, 1989.*—In Schedule II of the Code of Criminal Procedure,—

(a) against section 376,—

(i) for the entry under column 7, the following entries shall be substituted, namely :—

1	2	3	4	5	6	7	8
						“Rigorous imprisonment of not less than 10 years but which may extend to imprisonment for life and with fine” ;	

(ii) the following entries shall be inserted at the end, namely :—

1	2	3	4	5	6	7	8
	“Person’s committing offence of rape on a women under sixteen years of age	may arrest without warrant	warrant	non-bailable	non-compoundable	Rigorous imprisonment for a term which shall not be less than 20 years but which may extend to imprisonment for life which shall mean imprisonment for the remainder of that person’s natural life and with fine	Court of Session”

(b) after the entries relating to section 376A, the following entries shall be inserted, namely :—

1	2	3	4	5	6	7	8
“376AB	Person’s committing an offence of rape on a women under twelve years of age	may arrest without warrant	warrant	non-bailable	non-compoundable	Rigorous imprisonment for a term not less than 20 years but which may extend to imprisonment for life which shall mean imprisonment for the remainder of that person’s natural life and with fine or with death	Court of Session”

(c) after the entries relating to section 376D, the following entries shall be inserted, namely :—

1	2	3	4	5	6	7	8
“376DA	Gang rape on a Women under sixteen years of age	may arrest without warrant	warrant	non- bailable	non- compoundable	Rigorous imprisonment for life which shall mean imprisonment for the remainder of that person’s natural life and with fine	Court of Session

1	2	3	4	5	6	7	8
376DB	Gang rape on a Women under twelve years of age	may arrest without warrant	warrant	non-bailable	non-compoundable	Rigorous imprisonment for life which shall mean imprisonment for the remainder of that person's natural life and with fine or with death	Court of Session"

(Sd.) ABDUL MAJID BHAT,
Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE
AND PARLIAMENTARY AFFAIRS
(Legislation Section)**

Srinagar, the 15th May, 2018.

The following Act as passed by the Jammu and Kashmir State
Legislature received the assent of the Governor on 15th May, 2018 and
is hereby published for general information :—

THE JAMMU AND KASHMIR FISHERIES ACT, 2018

(Act No. XVI of 2018)

[15th May, 2018.]

An Act to provide for protection, conservation and development
of fisheries in the State and for matters connected therewith or
incidental thereto.

Be it enacted by the State Legislature in the Sixty-ninth Year of Republic of India as follows :—

CHAPTER I

Preliminary

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Fisheries Act, 2018.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) “Act” means the Jammu and Kashmir Fisheries Act, 2018 ;
- (b) “Department” means Department of Fisheries, Jammu and Kashmir ;
- (c) “Fish” means an animal whether living or dead of a species that throughout its life cycle usually lives—
 - (i) in water (whether fresh water or salt water) ; or
 - (ii) in or on foreshores ; or
 - (iii) in or on land under water,

which includes the spat, spawn and eggs of fish ;

- (d) “fishing craft” means any boat/appliance whether operated manually or mechanically for the capture or transport of fish ;
- (e) “fishing gear” means any net, cage, trap or other contrivance used for fishing ;

- (f) “fixed engine” means any net, cage, trap or any other contrivance fixed in the soil or on boulders or made stationery in any other way for the capture of fish within the waters ;
- (g) “Government” means the Government of Jammu and Kashmir ;
- (h) “Licence” means licence issued under section 10 of the Act or rules made thereunder ;
- (i) “prescribed” means prescribed by rules under the Act ;
- (j) “Protected Waters” mean and include waters which are declared as such under section 6 of the Act ;
- (k) “Private Waters” mean water—
 - (a) which is the exclusive property of any person ; or
 - (b) in which any person has for the time being an exclusive right of fishing whether as owner, lessee or in any other capacity.

Explanation :—Water shall not cease to be “private water” within the meaning of this definition by reason only that other persons may have by custom a right of fishing therein.

- (l) “Reserved Waters” mean and include waters where fishing is required to be regulated, prohibited or restricted to protect such species of fishes as may be determined by the Government from time to time except trout fishes ;

- (m) “Sanctuaries” means waters, where fishing because of sacred nature of the places or otherwise, is not permitted ;
- (n) “Trout Waters” mean and include waters which harbor trout and have been stocked with trout fish species as declared under section 6 of the Act ; and
- (o) “Waters” mean and include all rivers, streams, lakes, sars, ponds, springs, reservoirs, canals, aquaria etc. belonging to the State.

CHAPTER II

Protection of Fish

3. *Prohibition against destruction of fish by explosive.*—No person shall use any dynamite or other explosive substance in any water with intent thereby to catch or destroy the fish therein.

4. *Prohibition against destruction of fish by poisoning of water.*—(1) No person shall put any poison, lime or noxious materials into any water with intent thereby to catch or destroy any fish therein.

(2) The Government may, by notification in the Government Gazette, suspend the operation of sub-section (1) in any specified area and may in the like manner modify or cancel any such notification.

5. *Power to make rules to protect fish.*—(1) The Government may, by notification in the Government Gazette, make rules for any water other than private waters for all or any of the following matters, namely :—

- (a) prohibiting or regulating,—
 - (i) the erection or use of fixed engine and/or fishing gear or any other operators used to catch or destroy fish ;

- (ii) the construction of weirs, dam and bunds ; and
- (iii) the release of any industrial waste, sewage or any other pollutant to the waters which may be harmful to the species of fish or the food of fish.
- (b) regulating the dimension and the kinds of fish gears to be used and the mode of using them ;
- (c) prohibiting all fishing in the specified waters for a specific period ;
- (d) prohibiting the use of any gun, spear, arrow, any means of electrocution or the like in any water, with intent thereby to take or destroy any fish therein ;
- (e) prohibiting introduction of any kind of fish which may be harmful to the existing species of fish, without obtaining prior permission of the Government ;
- (f) to lease out public water resource for a specified period and to charge fees for such lease ;
- (g) regulating the standard of sale of fish and the fish seed ;
- (h) prohibiting the fishing and marketing of fish during the closed season.

Explanation :— For the purpose of this clause, ‘closed season’ means such period as the Government may, by notification in the Government Gazette, specify.

(2) In making rules under this section, the Government may provide for—

- (i) the seizure, forfeiture and removal of fishing gear erected or used in contravention of the rules ;
- (ii) the forfeiture of any fish taken by means of any such fish gear ; and
- (iii) the forfeiture of fish taken or sold during the period specified in clause (h) of sub-section (1).

(3) The Government may, by notification in the Government Gazette apply such rules or any of them to any private water with the consent, in writing, of the owner thereof and all persons having for the time being any exclusive right of fishing therein.

CHAPTER III

Regulation of Fishing in specified Area

6. *Declaring waters as sanctuaries, trout waters, reserved waters and protected waters.*—(1) The Government may, by notification in the Government Gazette, from time to time, declare the localities situated within the areas, which shall, for the purposes of this Act be treated as sanctuaries, trout waters, reserved waters and protected waters.

(2) For declaring the waters under sub-section (1) as sanctuaries, trout waters, reserved waters and protected waters, the Government shall take into consideration the following factors, namely :—

- (a) the need to protect the interests of different sections of persons engaged in fishing, particularly those engaged in fishing using traditional fishing craft ;

- (b) the need to conserve fish and to regulate fishing on scientific basis ;
- (c) the need to maintain law and order in the area ;
- (d) any other area that may be prescribed.

7. *Absolute prohibition against fishing in sanctuaries.*—
No person shall capture any fish by any mode of fishing in any area declared as sanctuary under section 6 of this Act.

8. *Powers to regulate, restrict or prohibit certain fishing activities and habitat therein within trout waters, reserved waters and protected waters.*—(1) The Government may, having regard to matters referred to in sub-section (2) of section 5, by notification in the Government Gazette, regulate, restrict or prohibit in any trout waters, reserved waters and protected waters and habitat therein,—

- (a) the catching of such species of fish and for such period, as may be specified, in the notification ;
- (b) the fishing by such class or classes of fishing vessels and for such period, as may be specified in the notification ;
- (c) the use of such fishing gears, as may be specified in the notification ;
- (d) the collection of biological specimen ;
- (e) the number of fishing vessels/small boats which may be used for fishing ; and
- (f) the extraction of bed material including sand, bajri and boulders.

9. *Prohibition of fishing without licence.*—No person shall after the commencement of this Act, carry on fishing in any trout waters, reserved waters and protected waters, without a licence granted under section 10 :

Provided that nothing in this section shall apply to different sections of persons who were engaged in fishing, particularly of those engaged in fishing by use of traditional fishing crafts immediately before the commencement of this Act, for such period, as may be specified by the Government by notification in the Government Gazette.

10. *Licences for fishing and sale thereof.*—(1) Any person desirous of fishing in an area where such fishing is permitted by the Government or desirous to sell fish in the market areas, may make an application to the Licencing Officer for the grant of licence in a specified area and for a specified period.

(2) Every application under sub-section (1) shall be in such form, contain such particulars and accompanied by such fees, as may be prescribed.

(3) The Licencing Officer may, after making such enquiry as he deems fit, either grant or refuse to grant the licence for fishing or sale of fish in the specified area mentioned in the licence.

(4) A licence under this section shall be granted in such form, on such terms and conditions and on payment of such fees, as may be prescribed.

(5) A licence granted shall be valid for a period of one financial year, unless it is suspended or cancelled earlier and may be renewed from time to time for a period of one year on payment of such fees, as may be prescribed :

Provided that licence for trout fishing by angling procedure shall not be granted for more than one day.

11. *Cancellation, suspension and amendment of licence.*—(1) If the Licencing Officer is satisfied either on a reference make to him in this behalf or otherwise, that—

- (a) a licence granted under section 10 has been obtained by misrepresentation ;
- (b) the holder of a licence has, without reasonable cause, failed to comply with the condition subject to which the licence has been granted or has contravened any of the provisions of this Act or any order or rule made thereunder,

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Act, the Licencing Officer may, after giving the holder of the licence a reasonable opportunity of showing cause, cancel or suspend the licence or forfeit the whole or any part of the fee or security, if any, furnished for the due performance of the conditions subject to which the licence has been granted.

(2) Subject to any rules that may be made in this behalf the Licencing Officer may also vary or amend a licence granted under section 10.

CHAPTER IV

Appeal and Revision

12. *Appeal.*—(1) Any person aggrieved by the order of the Licencing Officer under section 10 refusing to grant a licence or under section 11 varying, suspending, cancelling or amending a licence granted may within thirty days from the date on which the order is

communicated to him ; prefer an appeal in such form and accompanied by such fee as may be prescribed by the Government to the appellate authority :

Provided that the appellate authority may entertain appeal after the expiry of period of thirty days ; if the appellant satisfies the appellate authority that he had sufficient cause for not preferring an appeal within such period.

(2) On receipt of an appeal under sub-section (1), the appellate authority shall after giving the appellant a reasonable opportunity of being heard, pass such order in the appeal as he deems just and proper.

(3) In computing a period laid down in sub-section (1), the provisions of the Limitation Act, Svt. 1995 shall, so far as may be, apply.

13. *Revision*.—(1) Subject to the rules that may be made in this behalf, the Government may, on its own motion or on an application by an aggrieved person made to it in this behalf, call for and examine the record of any order passed by the appellate authority and pass such order thereafter as it deems fit and proper :

Provided that no record of any proceeding of the appellate authority shall be called for—

- (i) in a case where an appeal lies under section 12, but no appeal has been filed ; or
- (ii) in a case where an appeal has been made under section 12 and such appeal is pending.

(2) No order shall be passed under this section which adversely affects any person unless such person has been given a reasonable opportunity of being heard.

14. *Bar of jurisdiction of civil courts.*—No civil court shall have jurisdiction to deal with or decide any question which the Licencing Officer, the appellate authority or, as the case may be, the Government is empowered to deal with or decide by or under this Act and no injunction shall be granted by the Civil Court in respect of any action taken or to be taken in pursuance of any provision of this Act.

CHAPTER V

Offences and Penalties

15. *Offences and penalties.*—(1) Whosoever contravenes the provisions of section 3, section 4, and section 7 shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine not exceeding ten thousand rupees or with both.

(2) Whosoever contravenes the provisions of section 8 and section 9 shall, on conviction, be punished with imprisonment for a term which may be extended to three months or with fine which may extend to rupees five thousand or with both.

(3) When an offence under sub-section (1) and sub-section (2) is a continuing one, the offender shall be punished with a daily fine not exceeding rupees one thousand during the period of continuance of such offence.

16. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company, every person who at time the offence was committed, was incharge of, and was responsible to the company for conduct of the business of the company, as well as the company shall be deemed to be guilty of the offence and shall be liable to proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this section has been committed by a company and it is provided that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation :—For the purpose of this section—

- (a) “company” means a body corporate and includes a firm or other association of individuals ; and
- (b) “director” in relation to a firm means a partner in the firm.

17. *Cognizance of offences.*—Notwithstanding anything contained in the Code of Criminal Procedure, Svt. 1989, the offences punishable under this Act shall be cognizable.

18. *Compounding of offences.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, Samvat 1989, the Government or any officer authorized by it in this behalf, may accept from any person who committed any offence punishable under this Act, a sum of money by way of compounding of the offence as prescribed by the Government from time to time.

(2) On payment of the sum of money in accordance with sub-section (1), any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such person in any criminal court.

(3) The acceptance of the sum of money for compounding an offence under sub-section (1) by the Government or an officer

authorized in this behalf shall be deemed to be an acquittal within the meaning of section 403 of the Code of Criminal Procedure, Samvat 1989.

CHAPTER VI

Miscellaneous

19. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against any person or the State Government, for anything which in good faith is done or intended to be done under this Act.

20. *Appointment of officers.*—The Government may appoint by notification officers as it may consider necessary to exercise the powers conferred on, and discharge the duties imposed upon them under this Act in such area as may be specified in the notification.

21. *Officers and employees to be public servants.*—All officers and employees shall, when acting or purporting to act in pursuance of the provisions of this Act or any rule made thereunder, be deemed to be a public servant within the meaning of section 21 of the Ranbir Penal Code, Svt. 1989.

22. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of the Act, the Government may, by order published in the Government Gazette, make such provisions not in consistent with the provisions of the Act, as may appear to be necessary for removing the difficulty :

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of the Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature.

23. *Rewards.*—Any person or persons giving such *bona fide* information as shall lead to a conviction under the Act shall be entitled to a reward which may at the discretion of the Judicial Magistrate trying the case extend to the full amount of the fine inflicted.

24. *Prohibition as to sale or barter of fish unlawfully taken.*—(1) The Government may by notification in the Government Gazette prohibit generally or for any specified areas, the offering or exposing for sale or barter of any fish the taking of which has been made unlawful by the provisions of this Act or any rule made thereunder.

(2) The burden of proving that any fish offered or exposed for sale or barter is not offered or exposed for sale or barter in contravention of this section shall be on the person offering or exposing for sale or barter such fish.

25. *Power to make rules for regulation of sale or barter of fish.*—(1) Notwithstanding anything contrary contained in this Act, the Government may make rules for grant of license for establishing Fishing Markets in any market areas as may be prescribed in this behalf.

(2) In making rules under this section, the Government may provide for—

- (i) declaring any market area as special fish market after consideration of factors conducive for sale or barter of fish ;
- (ii) the manner in which fish vendors may sell or barter their fish directly to the consumers in such markets after paying such fee to such person establishing such fish market ; and
- (iii) establishment of separate market committees for effective implementation of provisions of this Act.

26. *Prohibition as to night fishing.*—Whoever though having been granted a licence under this Act, fishes or attempts to fish in any trout waters, reserved waters and protected waters between the hours of sunset and sunrise shall be liable to be punished with imprisonment for a term which may extend to three months or with fine which may extend to rupees five thousand or both.

27. *Power of arrest.*—(1) When any person who, in the presence of an officer duly appointed in this behalf under the provisions of this Act and the rules framed thereunder, commits or attempts to commit or has been accused of committing any offence under this Act, refuses, on demand by such officer to give his name and address, or gives his name or address which such officer has reason to believe to be false, he may be arrested by such officer. The officer making such arrest may seize all fishing implements and other articles intended to be used in connection with the commission of such offences in possession of the person arrested and shall prepare a list of such articles.

(2) When the true name and residence of such person have been ascertained, he shall be released on his executing a bond, with or without sureties, to appear before a Judicial Magistrate, if so required, provided that if such person is not resident in the State territories, the bond shall be secured by a surety or sureties resident in State territories.

(3) When the true name and residence of such person is not ascertained within 24 hours from the time of arrest, or such person fails to execute the bond, or if so required, to furnish sufficient sureties, he shall forthwith be forwarded to the nearest Judicial Magistrate having jurisdiction.

28. *Power of search and seizure.*—Any officer authorized by the Government in this behalf having reasonable grounds to believe that any fishing activity is carried out in contravention to the provisions of this Act and any fish or fish product is in possession of a person

in any place which has been obtained by violating the provisions of this Act, may enter such place with the object of carrying out a search for such product and its seizure :

Provided that such search shall not be conducted otherwise than in accordance with the provisions of the Code of Criminal Procedure.

29. *Power to make rules.*—(1) The Government may by notification in the Government Gazette, make rules for carrying out the objects of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules for all or any of the following matters, namely :—

- (i) protection of fish under section 5 ;
- (ii) the form in which the application for grant of licence for fishing shall be made and the particulars and the fees under sub-section (2) of section 10 ;
- (iii) the form in which and the terms and conditions on which the licence for fishing may be granted under sub-section (4) of section 10 ;
- (iv) the rules subject to which the Licencing Officer may vary or amend the licence under sub-section (2) of section 11 ;
- (v) the form in which appeal is to be filed and the fee to be accompanied with the appeal under section 12 ;
- (vi) regulating of sale or barter of fish under section 25 ;
- (vii) any other matter which is to be or may be prescribed under this Act.

30. *Repeal and savings.*—(1) The Jammu and Kashmir State Fisheries Act, 1960 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken including any order, rule, notification, notice made or issued under the repealed law shall, in so far as it is not inconsistent with the provisions of the Act be deemed to have been done, taken or issued under the corresponding provisions of the Act.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HORTICULTURE DEPARTMENT

Subject :—Tentative seniority list of Horticulture Development Officers
(HDOs)/Assistant Analyst of J&K Horticulture (Gazetted) Service
as it stood on 31-01-2018.

Government Order No. 60-Horti of 2018

Dated 17-04-2018

Whereas, in the year 2001, on the recommendations of the
J&K Public Service Commission conveyed vide communication
No. PSC/DR/Horti/97/2 dated 19-03-2001, 97 Horticulture Development

Officers (HDOs), under direct recruitment quota, were appointed vide Government Order Nos. 110-Agri of 2001 dated 16-04-2001, 136-Agri of 2001 dated 24-05-2001 and 144-Agri of 2001 dated 11-06-2001 ; and

Whereas, vide Government Order Nos. 99-Agri of 2008 dated 09-04-2008 and 296-Agri of 2008 dated 16-10-2008, more candidates were appointed as Horticulture Development Officers (HDOs), on the vacancies accrued due to the non-joining of candidates and on the directions of the Hon'ble High Court ; and

Whereas, these appointment orders were issued on the basis of the reservation roster and not on the basis of the merit obtained by the candidates in the selection process of PSC, resulting in placing/arranging less meritorious category candidates against the reservation quota over and above the meritorious candidates selected against open merit ; and

Whereas, after the appointments made in the year 2001, an initial constitution of the members of the service, pursuant to the notification of Recruitment Rules of 2001, was notified vide Government Order No. 329-Agri of 2002 dated 13-12-2002 ; and

Whereas, in the initial constitution, among others, the names of the Horticulture Development Officers (HDOs), appointed by direct recruitment in the year 2001 vide above mentioned Government Orders were notified in the same manner and order in which they figured in the appointment orders so issued in 2001 ; and

Whereas, vide Government Order No. 257-Agri of 2003 dated 17-09-2003, the combined final seniority list of the members of the service including the HDOs appointed in the year 2001 was notified. In the said seniority list, the candidates appointed as HDOs in the year 2001 were placed/arranged on the basis of roster points and not in order of the merit list/select list recommended by PSC ; and

Whereas, the said seniority list was updated in the year 2010 vide Government No. 04-Agri of 2010 dated 08-01-2010 in the same manner in

consequence whereof the category candidates selected on the basis of reservation and with inferior merit in the year 2001, continued to be indicated higher in the seniority list viz-a-viz the candidates (HDOs) selected in the open category with the superior merit. The seniority list of 2010, however, did not include those appointed after 2001 i. e. candidates appointed in the year 2008 vide Government Order Nos. 99-Agri of 2008 dated 09-04-2008, and 296-Agri of 2008 dated 16-10-2008 ; and

Whereas, during examination of the seniority list, it was observed that the seniority of the HDOs appointed on the basis of recommendations of the PSC in 2001 have been fixed in utter violation of the law and rule 24 of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956, which provides for the fixation of the inter-se-seniority of the direct recruits on the basis of merit obtained in the selection process. The roster maintained in the department is only for giving effect to the reservation which is not the rule of the seniority as the same has also been clarified in rule 31 of SRO-294 of the J&K Reservation Rules of 2005 ; and

Whereas, in order to correct the mistakes, the opinion of Law, Justice and Parliamentary Affairs Department and General Administration Department were also taken in this regard and based on their agreement, the department vide Government Order No. 56-Agri of 2016 dated 16-02-2016, a tentative seniority list of the HDOs appointed in pursuance of the recommendations of the J&K PSC dated 19-03-2001 was issued, strictly on the basis of merit obtained by the candidates in the selection process of PSC and in accordance with the rule 24 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 ; and

Whereas, feeling aggrieved by the seniority position assigned in the tentative seniority list on the basis of merit obtained in the selection process, some of the incumbents approached the Hon'ble High Court by way of writ petition titled Madan Lal and Ors. Vs. State and Ors. in

SWP No. 434/2016. The Hon'ble High Court by an interim order dated 03-03-2016 passed the following direction :—

“Prima facie, submission as substance. Notice to the respondents for filing objections by or before next date. Meanwhile, the impugned tentative seniority list issued vide Government Order No. 58-Agri of 2016 dated 16th February, 2016 shall not be acted upon.”

Whereas, other incumbents also approached the HHC in this regard in SWP No. 342/2016, MP No. 1/2016 titled Mushtaq Ahmad Wani Vs. State and Ors. The Hon'ble High Court by an interim order passed the following direction dated 26-02-2016 which reads as :

“Meanwhile, subject to the objections from the other side and till next date of hearing, order dated 16-02-2016 shall not be affected qua petitioners.”

Whereas, the Hon'ble High Court disposed of the writ petitions SWP No. 434/2016 c/w SWP No. 342/2016 vide its order dated 30-01-2018. The operative part of the order reads as :

“24.There is no scope for any interference with the order impugned. However, when the process for promotion will be initiated in that eventuality if the petitioners also fall within the zone of consideration, their experience, which shall be recognized under rules, shall also be taken note of.

25. Petition succeeds, is disposed of as above along with connected petition”.

Whereas, the seniority list of HDOs issued vide Government Order No. 56-Agri of 2016 dated 16-02-2016 was tentative containing the names of HDOs appointed in the years 2001 and 2008 only. At that time objections were sought from the members of the service within 15 days from the date of issuance of the tentative seniority list but in the meantime

the Hon'ble High Court vide its order dated 3-3-2016 directed not to act on the said seniority list as such the objections so received by the department had not been examined in view of Court direction ; and

Whereas, a considerable time has since been elapsed and in the meantime more candidates were appointed in the years 2010, 2011 and 2012 on the recommendations of Public Service Commission vide Government Order Nos. 18-Agri of 2010 dated 08-02-2010, 241-Agri of 2011 dated 11-08-2011 and 53-Agri of 2012 dated 08-02-2012, therefore, the department decided to issue a revised tentative seniority list incorporating also the appointees of the years 2010, 2011 and 2012, so that a revised tentative seniority list of HDOs appointed after the year 2001 till date is notified strictly on the basis of merit obtained by the candidates in the selection process/list furnished by JKPSC strictly as per the rule 24 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 ; and

Whereas, a tentative seniority list of the HDOs/Assistant Analyst as it stood on 31-01-2018 was issued vide Government Order No. 20-Horti of 2018 dated 28-02-2018, and the same was uploaded on the official website of Horticulture Department. A notice was also issued under endorsement No. Horti/27/2017, dated 20-03-2018 and the same was published in the newspapers for information of all the concerned inviting objections, if any, on the tentative seniority list uploaded on the official website, within 30 days ; and

Whereas, objections were received in respect of the Tentative Seniority List issued by the Department which were examined in light of Rule 24 of J&K Civil Services (Classification, Control and Appeal Rules), 1956, and necessary changes with regard to the objections which were found valid and based on facts, have been incorporated in the final seniority list.

Now, therefore, the final seniority list of the HDOs/Assistant Analyst as it stood on 31-01-2018. of J&K Horticulture (Gazetted) Service is hereby issued, forming Annexure to this order.

The Date(s) of Birth, category and qualification of the officers recorded in the seniority list shall not be taken as authentic and shall be subject to further verification with reference to Service records/Matriculation Certificate/Qualification certificates of the concerned officers.

The seniority of those I/C HDOs and equivalent under 25% promotion quota, who have not yet been regularized/confirmed by the PSC/DPC, their rightful position based on the date of regularization will be incorporated in the seniority list as and when their promotion orders are issued on the recommendations of PSC/DPC

This issue without prejudice to the outcome of any writ petition on the subject pending before any competent court(s) of law.

By order of the Government of Jammu and Kashmir.

(Sd.) MANZOOR AHMAD LONE, IAS,

Secretary to the Government.

Annexure-A to Government Order No. 60-Horti of 2018 dated 17-04-2018

S. No.	Name of the Officer	Date of Birth	Qualification	Marks obtained/ merit in selection process	Date of Entry into Government Service
1	2	3	4	5	6
	S/Shri/Smt.				
1.	Mohd. Iqbal Baba	12-05-1966	M. Sc. Biotechnology	113.70	16-04-2001
2.	Ms Shafiqa	22-06-1972	B. Sc. Agriculture	112.90	24-05-2001
3.	Chaman Lal Sharma	25-05-1965	M. Sc. Plant Pathology	109.15	16-04-2001
4.	Rajesh Kumar Pangotra	25-04-1970	B. Sc. Agriculture	106.70	16-04-2001
5.	Sajid Mustafa	05-12-1968	B. Sc. Agriculture	105.67	24-05-2001
6.	Muneer Ahmad Wani	15-10-1969	PG Dip. in Fruit/ Veg. Preservation	105.67	16-04-2001
7.	Qazi Tasaduq Mueen (Qari)	15-12-1964	M. Sc. Land Scaping	104.00	16-04-2001
8.	Rajesh Dhar	12-04-1962	M.Sc. Vegetable Crops & Floriculture	103.10	16-04-2001

1	2	3	4	5	6
9.	Salil Kumar Gupta	20-08-1974	M. Sc. Entomology	103.03	16-04-2001
10.	Zahoor Ahmad Bhat	11-04-1965	M. Sc. Plant Pathology	101.90	16-04-2001
11.	Pawan Kumar	05-03-1971	B. Sc. Agriculture	100.40	16-04-2001
12.	Vikas Anand	10-12-1975	M. Sc. Post Harvest Tech.	100.26	11.06-2001
13.	Inder Jeet Singh	04-02-1974	B. Sc. Agriculture	100.00	16-04-2001
14.	Anil Kumar Chibber	28-05-1970	M. Sc. (Agriculture) in Food Science and Technology	99.59	16-04-2001
15.	Vishno Kant Gupta	23-07-1964	M. Sc. Plant Pathology	99.10	16-04-2001
16.	Raivati Raman Sharma	30-01-1971	M. Sc. (Agriculture) in Plant Pathology	97.90	16-04-2001
17.	Vishal Magotra	02-12-1975	M.Sc. Fruit Science.	97.58	24-05-2001
18.	Ashwani Kumar	14-07-1968	M. Sc. Pomology	96.89	16-04-2001
19.	Mukesh Kumar Sharma	20-12-1970	M. Sc. Entomology	96.85	16-04-2001
20.	Ajay Gupta	10-10-1968	B. Sc. Agriculture	95.95	16-04-2001
21.	Abdul Hamid Bhat	13-03-1966	M.Sc. Plant Pathology	95.90	24-05-2001

22.	Altaf Hussain Kachoo	15-05-1964	PG. Dip. in Fruit/ Veg. Preservation	95.75	24-05-2001
23.	Pardeep Gupta	02-10-1964	M.Sc. Fruit Science	95.34	16-04-2001
24.	Rajinder Kumar	12-08-1967	M. Sc. Plant Breeding	95.21	16-04-2001
25.	Satvir Singh Raina	10-08-1965	M. Sc. Horticulture (Fruit Culture and Orchard Management)	93.81	16-04-2001
26.	Mohd. Amin Bhat	08-10-1967	M.Sc. Entomology	93.75	16-04-2001
27.	Brij Vallabh Gupta	15-05-1972	M. Sc. Plant Pathology	93.72	16-04-2001
28.	Sandeep Kumar Gupta	17-07-1971	M.Sc. Pomology	93.47	16-04-2001
29.	Iqbal Hussain (SLC) (Rtd.)	06-01-1957	B. Sc. Agriculture	93.10	16-04-2001
30.	Kamaljeet Singh Sodhi	05-05-1975	M. Sc. Food Science & Tech.	92.56	24-05-2001
31.	Reyaz Ahmed Shah	07-03-1971	M.Sc. Soil Science	92.21	16-04-2001
32.	Manzoor Ahmad Wani	13-10-1961	PG Dip. in Fruit/ Veg. Preservation	91.60	16-04-2001
33.	Raghu Nath Upadhya	29-09-1973	M. Sc. Plant Pathology	91.29	24-05-2001
34.	Gurdeep Singh Kapoor	12-12-1961	B.Sc. Agriculture	91.15	16-04-2001

1	2	3	4	5	6
35.	Javeed Ahmad Bhat	25-06-1970	M. Sc. Entomology	91.15	16-04-2001
36.	Sandeep Kumar	12-01-1973	M.Sc. Plant Pathology	90.73	16-04-2001
37.	Sandeep Sharma	27-07-1975	M.Sc. Plant Pathology	90.41	16-04-2001
38.	Vinay Vilas	10-10-1972	M.Sc. (Agri.) Food Science & Tech.	90.38	24-05-2001
39.	Sarbjit Singh	21-01-1974	M. Sc. Pathology	90.30	16-04-2001
40.	Mohd. Zaffar (ST)	10-12-1964	B. Sc. Agriculture	85.65	16-04-2001
41.	Vinay Kumar (ALC)	11-03-1964	B. Sc. Agriculture	81.80	16-04-2001
42.	Ali Raza (ST)	04-04-1968	B. Sc. Agriculture	81.45	16-04-2001
43.	Sushil Kumar (SC)	07-09-1969	B. Sc. Agriculture	81.35	16-04-2001
44.	Roshan Din Dar (RBA)	19-07-1963	B. Sc. Agriculture	81.15	16-04-2001
45.	Mushtaq Ahmad Wani (RBA)	21-04-1962	B. Sc. Agriculture	80.45	16-04-2001
46.	Mohd. Iqbal (ALC)	01-09-1961	B. Sc. Agriculture	80.20	16-04-2001
47.	Rajinder Kumar (SC)	01-05-1968	B. Sc. Agriculture	79.15	16-04-2001

48.	Mohd. Yaseen Malik (RBA)	13-11-1966	PG Dip. in Fruit / Veg. preservation	78.80	16-04-2001
49.	Gul Sayed (ST)	01-05-1970	M.Sc. Food Science & Tech.	78.50	16-04-2001
50.	S. Tsewang Punchok (ST)	04-05-1969	M.Sc. Post Harvest Tech.	78.20	16-04-2001
51.	Hamid Ahmed (ALC)	10-09-1964	B. Sc. Agriculture	78.15	16-04-2001
52.	Vijay Kumar (SC)	08-06-1967	B. Sc. Agriculture	78.05	16-04-2001
53.	Rinj Pal Singh (RBA)	12-02-1967	M. Sc. Plant Breeding	77.92	16-04-2001
54.	Sleem-ud-Din (ST)	01-05-1960	PG Dip. in Fruit/ Veg. Preservation.	77.73	16-04-2001
55.	Virinder Kumar-I (SC)	04-04-1976	M. Sc. Agriculture Ext. & PG Diploma Marketing and Sale Management	77.21	24-05-2001
56.	Altaf Hussain (RBA)	01-11-1963	B. Sc. Agriculture	77.20	16.04.2001
57.	Uttam Lal (SC)	05-03-1976	M.Sc. Food Science & Tech.	77.12	24-05-2001
58.	Farooq Ahmed Tantry (RBA)	10-03-1966	M.Sc. Pomology	77.10	16-04-2001
59.	Shakil Ahmad (RBA)	01-03-1968	B. Sc. Agriculture	77.10	16-04-2001
60.	Mohd. Ramzan War (RBA)	04-04-1967	M.Sc. Pomology	75.35	16-04-2001
61.	Anil Kumr Gorka (SC)	10-10-1967	M.Sc. Entomology	75.10	16-04-2001

1	2	3	4	5	6
62.	Layakat Ali Khan (RBA)	25-03-1964	M.Sc. Pomology	74.80	16-04-2001
63.	Joyti Parshad (ST)	16-08-1972	M. Sc. Pomology	74.57	11-06-2001
64.	Muzaffer Ahmad (RBA)	20-07-1968	M. Sc. Horticulture (Fruit Science)	74.25	16-04-2001
65.	Varinder Kumar-II (RBA)	17-05-1970	B. Sc. Agriculture	73.50	24-05-2001
66.	Satish Kumar (SC)	04-04-1973	B. Sc. Agriculture	72.71	24-05-2001
67.	Shafqat Hussain Khan	01-06-1969	B. Sc. Agriculture	72.65	16-04-2001
68.	Sanjeev Kumar Kurlupia (SC)	19-03-1973	M.Sc. Entomology	72.42	24-05-2001
69.	Sunil Mahnoori (RBA)	14-11-1974	M.Sc. (Agri.) Food Science & Tech.	72.38	24-05-2001
70.	Randhir Singh Parihar (RBA)	04-02-1973	B. Sc. Agriculture	72.16	16-04-2001
71.	Rakesh Kumar Kotwal (RBA)	26-05-1973	M. Sc. Plant Pathology	71.89	24-05-2001
72.	Ashaq Hussain Akhoon (RBA)	01-10-1973	B. Sc. Agriculture	71.74	24-05-2001
73.	Madan Lal (SLC)	15-08-1972	B. Sc. Agriculture	70.57	24-05-2001
74.	Syeeda Bano	24.09.1961	B. Sc. Agriculture	89.29	09-04-2008

75.	Ishfaq Ahmad Wani	03.11.1969	M.Sc. Entomology	88.55	09.04.2008
76.	Shakil-ul-Rehman	01.12.1968	M.Sc. (Horti) Fruit Science.	88.53	09.04.2008
77.	Bharat Bushan Pangotra	25.10.1971	M.Sc. Food Science & Tech.	87.31	09.04.2008
78.	Vinod Wanchoo	24.02.1963	M.Sc. Agri. (Food Science & Tech)	87.30	09.04.2008
79.	Bharat Bushan Gupta	31.07.1974	M.Sc. Agriculture (Horticulture)	86.71	09.04.2008
80.	Parminder Singh	17.11.1972	M.Sc. Agriculture (Horticulture)	86.70	09.04.2008
81.	Arvind Kumar	21.09.1970	M.Sc. Plant Pathology	86.20	09.04.2008
82.	Romesh Kumar Sharma	03.04.1963	B.Sc. Agriculture	86.15	09.04.2008
83.	Abdul Hamid (ST)	09.01.1968	B.Sc. Agriculture	73.10	09.04.2008
84.	Jagjit Singh (RBA)	01.04.1973	B.Sc. Agriculture	71.53	09.04.2008
85.	Shiekh Iftikhar Hussain (RBA)	03.03.1973	PG Diploma in Food Technology	71.38	09.04.2008
86.	Brij Paul Singh	30.08.1975	M.Sc. Entomology	85.80	16.10.2008
Selection made against notification No. 04-PSC of 2006 dated 26-05-2006					
87.	Meenakshi Sidha	25.10.1977	Ph.D Horticulture	66.55	08.02.2010
88.	Anju Bala	21-03-1975	M. Sc. Horticulture (Post Harvest Tech.), Ph. D. Horticulture (Post Harvest Tech.)	63.40	08.02.2010

1	2	3	4	5	6
89.	Shazia Shah	05-10-1977	Ph. D Horticulture	60.73	08.02.2010
90.	Nisar Ahmad	10-03-1973	Ph. D Horticulture	58.93	08.02.2010
91.	Manzoor Ahmad Dar	15-11-1977	M.Sc. (Agriculture) Horticulture	58.37	08.02.2010
92.	Sunil Gupta	06-12-1978	M.Sc .Horticulture	58.31	08.02.2010
93.	Abhinav Gupta	09-02-1980	M.Sc. (Agriculture) Horticulture	56.24	08.02.2010
94.	Deeraj Daya Bailam (SC)	21-11-1976	M.Sc. (Agriculture) Horticulture	56.15	08.02.2010
95.	Shugfta Rafi	15-11-1981	M.Sc. Horticulture (Floriculture)	55.58	08.02.2010
96.	Azfar Bashir Nanda	28-3-1979	Ph.D Horticulture	55.43	08.02.2010
97.	Pardeep Kumar Dingra (SC)	24-11-1975	M.Sc. (Agriculture) Horticulture	55.35	08.02.2010
98.	Hilal Ahmad Bhat	10-09-1976	M.Sc. Horticulture (Fruit Production and Post Harvest Tech.)	55.33	08.02.2010
99.	Imtiyaz Ahmed Wani	12-12-1976	M.Sc. (Agriculture) Horticulture	55.06	08.02.2010

100.	Dheeraj Sharma	24-09-1980	M.Sc. (Agriculture) Horticulture	54.25	08.02.2010
101.	Daljeet Singh	04-02-1976	M.Sc. (Agriculture) Horticulture	54.23	08.02.2010
102.	Davinder Singh	14-02-1980	M.Sc. (Agriculture) Horticulture, Ph.D. Horticulture	54.18	08.02.2010
103.	Abid Hussain	09-04-1976	M.Sc. (Agriculture) Horticulture	54.07	08.02.2010
104.	Rakesh Salgotra	09-10-1976	M.Sc. (Agriculture) Horticulture	53.78	08.02.2010
105.	Rajesh Gupta	18-8-1974	M.Sc. (Agriculture) Horticulture	53.66	08.02.2010
106.	Basharat Hussain	01-01-1970	M.Sc. Horticulture	52.73	08.02.2010
107.	Puvinder Gupta	20-04-1979	M.Sc. (Agriculture) Horticulture	52.31	08.02.2010
108.	Masarat Jabeen	06-05-1978	M.Sc. Horticulture (Pomology)	51.94	08.02.2010
109.	Abdul Raof Siddiqui	11-11-1978	M.Sc. Horticulture(Fruit Preservation)	51.78	08.02.2010
110.	Arun Kumar	06-07-1976	M.Sc. Horticulture	51.46	08.02.2010
111.	Asif Muzzafar Bodha	07-07-1977	M.Sc. Horticulture(Fruit Preservation)	51.24	08.02.2010
112.	Mohd. Saleem Darzi	30-12-1974	M.Sc. Fruit Production and Post Harvest Tech./Ph. D (Pomology)	50.98	08.02.2010
113.	Sajad Ahmad Ganai	14-03-1979	M.Sc. (Agriculture) Horticulture	50.81	08.02.2010

1	2	3	4	5	6
114.	Varinder Kumar (RBA)	02-02-1979	M.Sc. (Agriculture) Horticulture	49.83	08.02.2010
115.	Arshad Jamil (ST)	01-04-1975	M.Sc. (Agriculture) Horticulture	48.97	08.02.2010
116.	Ashwani Sharma (ALC)	11-01-1978	M.Sc. (Agriculture) Horticulture	48.87	08.02.2010
117.	Rakesh Kumar (SC)	02.-04-1979	M.Sc. (Agriculture) Horticulture	48.50	08.02.2010
118.	Mohd. Nazran Khan (RBA)	03-03-1978	M.Sc. (Agriculture) Horticulture	48.03	08.02.2010
119.	Ab. Hamid Khan (RBA)	15-02-1970	M.Sc. (Agriculture) Horticulture	47.92	08.02.2010
120.	Rohan Kumar (SC)	02-07-1976	M.Sc. (Agriculture) Horticulture	47.28	08.02.2010
121.	Sansar Chand (SC)	04-10-1976	M.Sc. (Agriculture) Horticulture	46.65	08.02.2010
122.	Mohd. Altaf Ganai (RBA)	08-11-1971	M.Sc. (Agriculture) Horticulture	46.61	08.02.2010
123.	Manzoor Ahmed Wani (SLC)	30-11-1976	M.Sc. Horticulture	45.03	08.02.2010
124.	Mohad. Farooq (ST)	11-06-1973	M.Sc. Horticulture	42.70	08.02.2010
125.	Hem Raj (SC)	10-05-1974	M.Sc. (Agriculture) Horticulture	42.50	08.02.2010
126.	Sushma Devi (RBA)	12-12-1973	M.Sc. (Agriculture) Horticulture	42.12	08.02.2010

127.	Mohd. Rafiq (ST)	01-01-1972	M.Sc. (Agriculture) Horticulture	42.09	08.02.2010
128.	Sanjeev Kumar (SC)	12-12-1976	M.Sc. Horticulture	41.00	08.02.2010
129.	Mohinder Singh (RBA)	02-03-1977	M.Sc. Horti./Flori. & Land Scaping	40.65	08.02.2010
130.	Syed Muddasir Hussain Shah (RBA)	29-03-1980	M.Sc. Horti./Flori. & Land Scaping	40.00	08.02.2010
Selection made against notification No. 05-PSC of 2009 dated 02-02-2009					
131.	Rubiqa Bashir	26-04-1980	M.Sc. Fruit Science	59.30	08.02.2010
132.	Lubna Aijaz Beig	24-02-1974	M.Sc. Horticulture	58.88	08.02.2010
133.	Shreshtha Gaur	25-05-1982	M.Sc. Horticulture (Post Harvest Tech)	57.19	08.02.2010
134.	Abdul Qadoos Beig (RBA)	04-11-1980	M.Sc. Horticulture	54.53	08.02.2010
135.	Rakesh Kumar Bhagat (SC)	19-04-1980	M.Sc. (Agriculture) Horticulture	48.50	08.02.2010
136.	Nayaz Ahmad (ST)	01-01-1974	M.Sc. Fruit Science	48.40	08.02.2010
137.	Malik Abida(Assistant Analyst)	20-10-1977	M.Sc. Horticulture (Post Harvest Tech)	47.50	08.02.2010
138.	Zia-ur-Rashid (RBA)	18-08-1979	M.Sc Horticulture (Post Harvest Tech) (Floriculture/Land Scaping)	40.51	08.02.2010
139.	Mohd. Farid (SLC)	11-07-1978	M.Sc (Agriculture) Horticulture	40.03	08.02.2010
140.	Sandeep Sharma (ALC)	26-06-1978	M.Sc (Agriculture) Horticulture	44.90	06.09.2010

1	2	3	4	5	6
141.	Shazia Hayat	08-03-1978	M.Sc Horti & Ph.D Pomology.	50.67	11.08.2011
142.	Khurshid Habib	24-07-1980	Ph. D Agriculture	52.79	08.02.2012
143.	Majid Ahmad War *	15-03-1980	M.Sc (Agriculture) Horticulture	52.27	08.02.2012
144.	Sanjeev Singh Andotra*	03-05-1980	M.Sc Horticulture	51.00	08.02.2012
145.	Amit Saraf*	05-08-1974	M.Sc Horticulture	50.26	08.02.2012

* The appointment of the candidates figuring at Sr. No. 143, 144 and 145 shall be subject to the outcome of the writ petition No. 1020/2011 titled Khurshid Ahmad Mir & Ors. V/s. State of J&K & Ors, pending in the Hon'ble High Court of J&K.

(Sd.) TAHIR MUSTAFA MALIK,
Deputy Secretary to the Government.